

In the Matter of:
U.S. Department of the Interior Bureau of Land Management
California Desert District Advisory Council

Reporter's Transcript of Proceedings

12/07/2013

Job #: 28159



(818)988-1900

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT ADVISORY COUNCIL

REPORTER'S TRANSCRIPT OF PROCEEDINGS
SATURDAY, DECEMBER 7, 2013

FILE NO. 28159

REPORTED BY: DIANE CARVER MANN, CLR, CSR NO. 6008

1 MEETING OF THE U.S. DEPARTMENT OF THE INTERIOR
2 BUREAU OF LAND MANAGEMENT CALIFORNIA DESERT DISTRICT
3 ADVISORY COUNCIL AT 3500 MARKET STREET, RIVERSIDE,
4 CALIFORNIA, COMMENCING AT 8:08 A.M. ON SATURDAY,
5 DECEMBER 7, 2013, BEFORE DIANE CARVER MANN,
6 CSR NO. 6008.

7
8 APPEARANCES

9
10 MEMBERS PRESENT:

REPRESENTING:

11 RANDY BANIS, CHAIRPERSON

PUBLIC-AT-LARGE

12 APRIL SALL, VICE CHAIR

PUBLIC AT LARGE

13 DON HOUSTON

NONRENEWABLE RESOURCES

14 RONALD V. JOHNSTON

PUBLIC-AT-LARGE, CDD

15 SETH SHTEIR

ENVIRONMENTAL PROTECTION

16 PAUL R. O'BOYLE

TRANSPORTATION/RIGHTS-OF-WAY

17 KIM CAMPBELL-ERB

RECREATION

18 AL MUTH

WILDLIFE

19 DINAH O. SHUMWAY

NONRENEWABLE RESOURCES

20
21
22 BLM STAFF PRESENT:

23 TERI RAML, DISTRICT MANAGER (CDD)

24 STEPHEN RAZO, EXTERNAL AFFAIRS DIRECTOR

25 DAVID BRIERY, EXTERNAL AFFAIRS STAFF

1 APPEARANCES (CONTINUED)

2
3 JENNIFER WOHLGEMUTH, DISTRICT MANAGER STAFF ASSISTANT

4 TOM ZALE, ASSOCIATE FIELD MANAGER, EL CENTRO

5 TIM WAKEFIELD, ASSOCIATE DISTRICT MANAGER, CDD

6 JOHN KALISH, FIELD MANAGER, PALM SPRINGS

7 CARL SYMONS, FIELD MANAGER, RIDGECREST

8 KATRINA SYMONS, FIELD MANAGER, BARSTOW

9 MIKE AHRENS, ACTING FIELD MANAGER, NEEDLES

I N D E X

AGENDA ITEM:

PAGE:

WELCOME/PLEDGE OF ALLEGIANCE, INTRODUCTIONS APPROVAL OF AUGUST 2013 MEETING TRANSCRIPT, REVIEW OF AGENDA AND PROCEDURES FOR PUBLIC COMMENT	6
STATE DIRECTOR/CDD DISTRICT MANAGER REPORT	10
ADVISORY COUNCIL MEMBER REPORTS AND CHAIR CLOSE-OUTS FROM PREVIOUS MEETING(S)	19
MORNING BREAK	54
PUBLIC COMMENT ON ITEMS NOT ON AGENDA, INCLUDING REQUESTS FOR DAC TO CONSIDER ITEMS FOR FUTURE AGENDAS	54
FOCUS TOPIC BRIEFING: RANGE IMPROVEMENT	75
DAC DISCUSSION ON RANGE IMPROVEMENT	99
PUBLIC COMMENT ON RANGE IMPROVEMENT	112
FOCUS TOPIC BRIEFING: MINING AND MINERAL EXTRACTION	123
DAC DISCUSSION ON MINING AND MINERAL EXTRACTION	135
PUBLIC QUESTIONS/COMMENTS ON MINING AND MINERAL EXTRACTION	140
FOCUS TOPIC BRIEFING: TRANSPORTATION/TRAVEL/ TOURISM -- ROUTE 66 CORRIDOR MANAGEMENT PLAN/ GATEWAYS	142
DAC DISCUSSION ON TRANSPORTATION/TRAVEL/TOURISM	147
PUBLIC QUESTIONS/COMMENTS ON TRANSPORTATION/ TRAVEL/TOURISM	151

///

///

I N D E X (CONTINUED)

AGENDA ITEM:

PAGE:

REPORT FROM DUMONT DUNES SUBGROUP	157
REPORT FROM SRP SUBGROUP	161
REPORT FROM ISDRA SUBGROUP	162
AFTERNOON BREAK	166
PUBLIC QUESTIONS/COMMENTS ON SUBGROUP REPORTS	166
COUNCIL QUESTIONS/COMMENTS ON SO/DM/FO REPORTS	166
PUBLIC QUESTIONS/COMMENTS ON SO/DM/FO REPORTS	173
WRAP-UP AND SUMMARY, INCLUDING DISCUSSION OF THEME AND AGENDA TOPICS FOR NEXT MEETING	178
ADJOURNMENT	182
MOTIONS	183

1 RIVERSIDE, CALIFORNIA; SATURDAY, DECEMBER 7, 2013

2 8:08 A.M.

3
4 P-R-O-C-E-E-D-I-N-G-S

5
6 ---000---

7
8 CHAIRPERSON BANIS: Hi. Good morning,
9 everybody. Welcome to the Desert Advisory Council
10 meeting. I call the meeting to order at approximately
11 8:08 a.m., please.

12 If I may, the first thing we'd like to do is,
13 I'd like to call upon Ron Johnston. Would you do us the
14 honors of the Pledge of Allegiance. This is Ron's last
15 meeting, and I thought this would be a chance for him to
16 have his final salute with the DAC today.

17 MEMBER JOHNSTON: Okay.

18 CHAIRPERSON BANIS: Thank you.

19 (The Pledge of Allegiance was recited.)

20 CHAIRPERSON BANIS: Thank you, Ron. Thanks
21 very much.

22 We have two transcripts to approve. We have
23 the transcripts for our June DAC meeting, and we also
24 have transcripts for our August RRAC meeting. I don't
25 believe at the RRAC meeting we approved the June

1 transcripts. We stayed right on RRAC business, so those
2 transcripts have been posted on the internet for some
3 time now. Hopefully you've all had a chance to download
4 and take a look. I'll entertain any changes,
5 corrections.

6 Hearing and seeing none, do I have a motion to
7 approve the June transcripts?

8 MEMBER JOHNSTON: So moved.

9 CHAIRPERSON BANIS: Moved by Ron. Second?

10 MEMBER MUTH: Second.

11 CHAIRPERSON BANIS: Second by Al. Those in
12 favor, aye. Opposed?

13 (A voice vote was taken.)

14 CHAIRPERSON BANIS: Thank you. Motion to
15 approve the August transcripts for the RRAC meeting.
16 That's the Recreation Resource Advisory Council meeting
17 at which the DAC considered the Imperial Sand Dunes
18 Recreation Area fee increase proposal. Do I have a
19 motion to approve?

20 MEMBER JOHNSTON: So moved.

21 CHAIRPERSON BANIS: Second?

22 MEMBER SHTEIR: Second.

23 CHAIRPERSON BANIS: Second from Seth. All in
24 favor, aye. Opposed?

25 (A voice vote was taken.)

1 CHAIRPERSON BANIS: Thank you. Transcripts are
2 approved. You have the agenda in front of you today.
3 Any last-minute additions, changes or corrections?
4 Hearing and seeing none, we'll move forward.

5 Procedures for public comment. We ask you to
6 come to the table and pick up a speaker comment card.
7 We'd like you to complete that and drop it with Steve at
8 the side table, and he'll bring those up to me in
9 groups. My only request is that if you'd like to speak
10 in a particular comment slot, I would like to have your
11 card before we start comment in that slot. That way we
12 can see how many speakers we have for that slot and
13 better allocate our time. So thank you for that.

14 Also just a last notice. Your cell phones, if
15 you would kindly turn the ringer off for us. And that
16 should pretty much do it for the introductory comments
17 for the meeting.

18 I'd like to now go around the room and have the
19 DAC members introduce themselves to the audience, and
20 I'm going to start, please, on my right. May I start
21 with Kim.

22 MEMBER CAMPELL-ERB: Kim Campbell-Erb. I
23 represent recreation, and I am a rockhound.

24 MEMBER MUTH: Al Muth representing wildlife.
25 I'm not a rockhound.

1 MEMBER O'BOYLE: Paul O'Boyle representing
2 right-of-way.

3 MEMBER SHTEIR: Seth Shteir representing the
4 environment.

5 MEMBER JOHNSTON: I'll just pick the whole
6 thing up. Ron Johnston representing public-at-large.

7 MEMBER SHUMWAY: Dinah Shumway, geologist,
8 nonrenewable resources.

9 MEMBER HOUSTON: Don Houston, nonrenewable
10 resources.

11 CHAIRPERSON BANIS: My name is Randy Banis.
12 I'm the representative for the public-at-large, chairman
13 of the DAC, and to my left, April, would you introduce
14 yourself, please.

15 MEMBER SALL: April Sall, public-at-large.

16 DIRECTOR RAML: And I'm Teri Raml. I'm the
17 District Manager for the California Desert District and
18 the designated federal official for this DAC. And I'd
19 like to start out by having the BLM staff here introduce
20 themselves, starting with Steve.

21 MR. RAZO: Stephen Razo, Director of External
22 Affairs, Desert District.

23 MS. SYMONS: Katrina Symons, Barstow Field
24 Manager.

25 MR. ZALE: Tom Zale, El Centro Field Manager.

1 MR. WAKEFIELD: Tim Wakefield, Associate
2 District Manager.

3 MR. SYMONS: Carl Symons, Ridgecrest Field
4 Manager.

5 MR. AHRENS: Mike Ahrens, Needles, Acting Field
6 Manager.

7 MR. KALISH: John Kalish, Field Manager of the
8 Palm Springs South Coast Field Office.

9 MS. WOHLGEMUTH: I'm Jennifer Wohlgemuth. I'm
10 the District Manager Staff Assistant.

11 DIRECTOR RAML: And Al, maybe you could stand
12 up. We have an illustrious retiree here.

13 MR. STEIN: More than one. I'm Al Stein. I
14 was formerly Chief of Resources in the Desert District.
15 I retired in January.

16 CHAIRPERSON BANIS: Very good. Nice to see
17 you, Al. Thanks for coming.

18 The next item on the agenda throws back to
19 Teri, State Director, and California Desert District
20 Manager Report.

21 DIRECTOR RAML: It seems like every meeting I
22 make my report shorter and shorter because I know that
23 the interest is primarily in -- it happens later in the
24 meeting with the field managers' reports, which is
25 really where most of the action is. That's where the

1 work gets done is at the field office, so I'm going to
2 be very brief.

3 I'll make a couple of announcements. I think I
4 will I want to talk a little about personnel. I know
5 people are interested in personnel. So Mike Ahrens
6 introduced himself as the acting field manager for
7 Needles, and that has taken place. Rusty Lee has taken
8 leave. He's focusing on his health, so Mike is acting
9 until he's not acting. We'll just do it that way.

10 Another announcement is, those of you who know
11 Becky LaSalle, she's our Deputy District Manager for
12 resources. She has accepted an assignment with the
13 National Park Service in Alaska, darn it, so yeah,
14 she'll be -- yes, that's two for Alaska. Actually
15 there's three because someone from our public affairs
16 shop in Sacramento is also in Anchorage, Alaska. For
17 some reason or another, they're finding Anchorage a nice
18 place to go. Becky will be moving to Alaska sometime in
19 mid January. She sends her regards to everyone else.

20 Another one is a retirement. Greg Thompson,
21 who has had a long career in the Desert District, he's
22 retiring at the end of this month. And for those of you
23 who are friends of Greg's, we're going to have an
24 internal going away party for him here in the next
25 month, but we want to have a big blowout event for Greg

1 sometime in January, so we'll be extending some
2 invitations to folks. And it will be pretty open, but
3 we're hoping to do something in tribute to his long
4 career and love of the outdoors. It will give employees
5 and friends and partners a chance to do something in the
6 out of doors, so we're hoping to have a nice picnic or
7 something.

8 Tim Wakefield is here. Also I think afternoon
9 people are going back looking to the weather and
10 figuring out their travel plans. I have to leave you
11 early this afternoon, and Tim will be sitting up here.
12 He is, as he says, our associate district manager, and
13 he'll become the DFO for the meeting in the afternoon
14 after I leave. So be nice to him, or not.

15 Let's see. The last thing I wanted to probably
16 talk about is the meetings themselves. Since we last
17 met, several of us took an 18-day unplanned-for
18 vacation. The field managers were actually called in
19 and did a lot of work during the furlough. I was
20 fortunate to be in Ireland, so I didn't even hardly feel
21 the furlough. But it seems like once a year we have
22 some kind of event that interferes with our
23 well-laid-out plans for DAC meetings.

24 And so our September meeting was supposed to be
25 on working landscapes, and we were hoping to be up

1 north, hoping to actually have an opportunity for
2 Richard Rudnick to address us with his family and his
3 background in ranching and talk about ranching on Public
4 Lands and then of course talk about mining. Well, with
5 the September meeting not being able to be held because
6 of the furlough and then December coming upon us, we
7 totally switched gears again. So we're going to do
8 ironically an indoor meeting on working landscapes, and
9 you'll see the agenda will be addressing that later this
10 afternoon. Then we kind of lost our volunteer partners'
11 meeting that was going to be for today.

12 I think the nice part is that -- and I know
13 Randy will talk about this later -- yesterday was one of
14 the days that -- I think I'll speak for me and field
15 managers too. It's very enjoyable for us to be able to
16 see the enthusiasm of the DAC members in play, so we
17 planned our next year's program of work. This is a
18 hardworking DAC. They worked hard this year, and our
19 accomplishments this year, including stepping up to be
20 an RRAC, takes a lot of work, takes a lot of
21 preparation. And they do their homework. They come to
22 meetings well prepared.

23 So after 2013 being a very busy meeting year,
24 they've actually laid out an even more aggressive
25 program of work and a little bit for us, but the nice

1 part for how this DAC works is that they pick topics BLM
2 is working on and is very interested in so that we are
3 in good alignment. And we're all going to work
4 together, but I really want to thank this DAC. And
5 yesterday was a fun day to see your interest, and you're
6 putting on a pretty good agenda, and then the idea that
7 our meetings are going to be pretty cool. So for those
8 of you that are sitting out there, we're going to have a
9 wonderful 2014.

10 And the last thing I'm going to say is, this
11 doesn't come together by accident. We have wonderful
12 DAC members. And I guess we've got three people that
13 termed out. This would have been their last meeting.
14 Meg Grossglass, who moved on to other things, left us
15 earlier. Richard Rudnick, who we wish would have been
16 here today to talk about ranching, but certainly during
17 the time that he was on the DAC, I think a lot of people
18 were able to spend personal time with him. And plus he
19 was such a great host. I think just in my short tenure
20 we had two wonderful barbecues he hosted. He's a
21 remarkable man, and I think we're going to really miss
22 him.

23 And then my colleague here -- this is his last
24 meeting -- Ron Johnston. And fortunately for me in the
25 time that I have with the DAC members, I usually get to

1 spend, you know, one time on a bus trip or one time
2 sitting across from someone at a restaurant. And I
3 think the time that Ron and I spent the most time was --
4 I think it was Redondo Beach.

5 When we have an extended conversation and I
6 really get to know people a little bit better, what I
7 get to know and really appreciate is their love of
8 Public Lands and their willingness for public service.
9 And so I think on behalf of the BLM -- and I think
10 Jennifer has got the plaque -- I would like to thank Ron
11 for his service. And I guess we should stand.

12 CHAIRPERSON BANIS: Yes. Take some pictures.
13 Steve is coming with the professional camera.

14 DIRECTOR RAML: Ron has got this coolest shirt
15 that Katrina keeps needing to get; right?

16 MS. SYMONS: Yes.

17 DIRECTOR RAML: On behalf of BLM, thank you for
18 your service. You're supposed to hold it.

19 MEMBER JOHNSTON: We can share it.

20 DIRECTOR RAML: Photographers.

21 MR. RAZO: Ready. Here we go.

22 MEMBER SHUMWAY: Turn the plaque around. It's
23 backwards.

24 DIRECTOR RAML: So you can see how Ron and I
25 got along.

1 MEMBER JOHNSTON: Here we go.

2 MR. RAZO: Okay. Perfect.

3 (Applause.)

4 DIRECTOR RAML: One last word. Yesterday he
5 gave us a couple of cautions which I think were
6 wonderful, and the one that I continue to violate is, we
7 try our best -- and I think our stenographer will think
8 we do not do a very good job of keeping acronyms and
9 jargon and techno-speak out of our language. And Ron
10 reminded us yesterday that that's something that bugs
11 him when it happens, and we will miss him reminding us,
12 and we'll try to remember in his memory to cut the
13 jargon.

14 MEMBER JOHNSTON: Thank you, Teri.

15 DIRECTOR RAML: I think that's it.

16 MEMBER JOHNSTON: Actually, though, I'm usually
17 at a loss for words. For the past six years or two
18 terms in serving on the DAC, I think for me have been a
19 remarkable and rewarding experience, not just for me but
20 for my wife, Pat, as well, who the DAC has been kind and
21 generous enough to allow her to participate in many of
22 the functions and projects that we have been involved
23 with.

24 The knowledge, insight and friendship of some
25 of the marvelous people that I have met during my tenure

1 on the DAC have just been tremendously rewarding. And
2 the public-at-large, I've done my very best to represent
3 the comments, suggestions and things that I hear in the
4 field. And thanks to the kindness and insight and
5 thoughtfulness of such people as Teri, Randy,
6 Roxie Trost, Jennifer Wohlgemuth, Steve Razo,
7 John Kalish and all the field managers as well as the
8 rangers and other staff members who I've encountered
9 have just been just exceptional people to work with. My
10 wife and I both want to extend our thanks to all of them
11 for being such great friends and great hosts.

12 And thank you, Randy, for running succinct,
13 relatively prompt, always well-organized -- usually
14 well-organized meetings that have been thoughtful and
15 incisive and focused.

16 And I believe that the DAC has a long way to go
17 for a long time in continuing to bring focus to some of
18 the concerns and thoughts that the people of the
19 United States might want to have voiced concerning the
20 management and use of their Public Lands.

21 And I would just like to thank all of you again
22 for your comradeship, your assistance, your knowledge
23 and friendship throughout the last six years.

24 (Applause.)

25 CHAIRPERSON BANIS: On behalf of the DAC, Ron,

1 we'll miss you here at the table, and we'll miss -- I
2 don't know that we're really going to miss you forever.
3 I think we'll see you soon and see Pat soon again, I
4 truly hope. Thank you. It's been nice to see you here
5 for as many years as well, Pat.

6 And a special word of thanks from me to Ron.
7 Six years ago it was -- it was Ron, quite frankly, that
8 put the issue of renewable energy development and its
9 potential impacts to the desert on my agenda. It hadn't
10 made it even onto the forefront of my mind until I
11 learned and heard from Ron.

12 I also would like to thank Ron for being there
13 for the DAC and me during the time that the Imperial
14 Sand Dunes Recreation Area Subgroup was rudderless
15 without a leader, and Ron kindly stepped in to help us
16 fill that gap during a very difficult important time.

17 I'd also like to thank Ron for personal advice
18 and his interest in my personal life over the years, and
19 I appreciated very much his advice. And also I think it
20 may be Ron that re-energized my newfound love for cars.
21 So when I thought about it, Ron has had a bigger impact
22 on me than I expected. So, Ron, thank you very much for
23 being my friend during these six years at the DAC, and
24 we'll have many more years of friendship together, I'm
25 sure. Thank you.

1 MEMBER JOHNSTON: Thank you.

2 CHAIRPERSON BANIS: Next item on the agenda,
3 the Advisory Council Member Reports. And then I'll
4 close out discussions from our previous topic. So let's
5 start -- since we did introductions to the right, would
6 it be okay to start DAC member reports to the left?
7 Don, the floor is yours, if you have anything.

8 MEMBER HOUSTON: I just have one brief comment.
9 I wanted to echo Teri's comments about the value of
10 yesterday's meeting. I thought it was great. And then
11 about the work ethic of the DAC members, I think that's
12 in no small part because our chairman sets such a high
13 bar for us all.

14 CHAIRPERSON BANIS: Thank you. Thanks.

15 MEMBER SHUMWAY: Thanks. Dinah Shumway,
16 nonrenewable resources. I don't have anything to
17 report. And I'm just glad the WEMO report that we
18 worked on is done.

19 (Applause.)

20 MEMBER SHUMWAY: So I feel like I'm on
21 vacation. However I really appreciated yesterday, and I
22 especially appreciated yesterday because we were able to
23 set at least target dates for our meetings for the
24 entire year, which is absolutely critical in my life.

25 MEMBER SALL: Good morning. I also would like

1 to thank everyone who worked with us on yesterday's
2 plan. I think it was a very useful time, and we got a
3 lot of planning accomplished, and hopefully we're able
4 to stick to that schedule. And I'll make some more
5 comments later on, but I just wanted to thank the
6 Needles Field Office staff for the Route 66 tour earlier
7 this week. And we look forward to all the future
8 meetings at all the field offices. Thank you.

9 MEMBER JOHNSTON: I really don't have anything
10 else to add. I'm kind of talked out.

11 CHAIRPERSON BANIS: I guess. Seth, the floor
12 is yours.

13 MEMBER SHTEIR: Nothing to report on the
14 environmental side, but I'd also like to thank the DAC
15 members and BLM staff and other folks who attended
16 yesterday's meeting. I think the organization of the
17 meeting really encouraged both public participation and
18 participation from our DAC members. And I know we came
19 up with some really good stuff. So thank you.

20 MEMBER O'BOYLE: Paul O'Boyle, right-of-way. I
21 really don't have anything to report specifically, other
22 than during the individual reports I have some
23 individual comments, which I'll get to later. Thank
24 you.

25 MEMBER MUTH: Al Muth. When you're seventh in

1 line, there's not much to add. Thank you.

2 MEMBER CAMPBELL-ERB: Kim Campbell-Erb. First I
3 want to thank Ron Johnston for his service on the DAC.
4 I have really enjoyed your friendship and working with
5 you during my term so far on the DAC. And I hope you
6 will continue to be involved and come to meetings in the
7 future.

8 MEMBER JOHNSTON: Thank you.

9 MEMBER CAMPBELL-ERB: Other than that I don't
10 have anything to report. I'll be talking about the SRP
11 Subgroup later.

12 CHAIRPERSON BANIS: Thank you, all. What I'd
13 like to do first is briefly point out the summary of our
14 discussions yesterday as to our meeting topics for 2014,
15 our meeting locations and our meeting dates. So I'm
16 very proud of the DAC for having pulled their calendars
17 out and put them in in ink because it really makes the
18 year go by so much easier when we know our dates in
19 advance.

20 The next meeting will be in Palm Springs on
21 March 14 and 15 with the focus topic of DRECP public
22 participation, and that would be for the Desert
23 Renewable Energy Conservation Plan. The second meeting
24 will be held in Needles May 9th and May 10th with the
25 topic of connecting people with the desert, specifically

1 interpretive opportunities for the BLM and the public as
2 a partner to help interpret the desert for our visitors.

3 The third meeting will be held at the Barstow
4 area on September 26 and September 27. The topic will
5 again be working landscape but will focus on ecological
6 function. And our final meeting of 2014 will be back in
7 Palm Springs, December 5th and December 6th, on the
8 issue of climate change. So thank you again for setting
9 the agenda. I'm glad the public has this, and we look
10 forward to seeing you all with us at our meetings in
11 2014.

12 The last official meeting of the Desert
13 Advisory Council was in June, and we had the topic of
14 the West Mojave Plan Route Designation Network, and the
15 jewel that came out of that meeting was the subgroup
16 report from our West Mojave Route Planning Subgroup
17 chaired by Dinah. And the DAC accepted that report, and
18 we also accepted testimony and dissenting reports on
19 that work. It was a large volume of comment and a large
20 volume of information, and thank you to the BLM for
21 taking that and accepting it. And I hope it is coming
22 in helpful in your efforts to plan the West Mojave Route
23 Network.

24 Before we close out the West Mojave topic, I'd
25 like to update the DAC on a couple of items that are

1 happening in the West Mojave relative to OHV and routes.
2 And the first is a letter from the Public Roundtable of
3 Ridgecrest to the Desert Advisory Council. Actually
4 it's to the Off Highway Motor Vehicle Division of
5 California State Parks. It was cc'd to the Desert
6 Advisory Council, and it's relative to the East Kern
7 County Acquisition Project by the Off Highway Motor
8 Vehicle Division.

9 Steve, I'm wondering if you could help me for a
10 second. I think you could help with this. Thank you.
11 Sorry for this. This is great. It will reach. We'll
12 leave it plugged in for a minute. The East Kern
13 Acquisition Project is a project of the Off Highway
14 Motor Vehicle Recreation Division of State Parks. I'm
15 just going to call that State Parks moving forward so
16 it's easier to talk about this.

17 In the greater Jawbone Canyon area, which many
18 of us are familiar with because we've had many meetings
19 there and tours, you notice that in Jawbone Canyon area
20 is a checkerboard arrangement of public and private
21 properties. The purple or the bluish colors are the
22 private property parcels that are currently being held
23 by RENEW, which is a renewable energy development
24 company. They had hoped of course to develop the area
25 with renewable energy, and instead the company is

1 seeking to sell their property.

2 And the OHV division of State Parks connected
3 with RENEW and have worked out a proposal to purchase
4 these properties and to integrate them with the
5 checkerboard BLM lands, including in the OHV open area
6 of Jawbone Canyon and to create an area that is managed
7 for off-highway vehicle recreation.

8 Right now the private property parcels do allow
9 the designated route network to pass through their
10 parcels and are comfortable with use by the public.
11 They have a memorandum of understanding with the Friends
12 of Jawbone to sign, maintain and fence the private
13 properties in order to offer this designated route
14 network across the private property to the public.

15 The Friends of Jawbone also has an agreement
16 with the BLM Ridgecrest Field Office to assist in
17 maintaining, signing and fencing on the BLM properties.
18 The State Park released a draft environmental impact
19 report earlier this year, received public comments and
20 approximately 60 days ago released their final
21 environmental impact report, which recommends the
22 purchase of the property and the creation of this
23 joint-management area.

24 The purchase is a two-step process. The way
25 that State Parks acquires these kinds of properties is

1 to first do an environmental action, this environmental
2 impact report, regarding just the question of the
3 purchase: should it be purchased or not? Then there
4 will be a subsequent planning process initiated by
5 State Parks to determine what kinds of uses,
6 infrastructures? Will there be more trails? Will there
7 be less trails? Will certain activities be allowed?
8 Will some activities not be allowed?

9 There will be another public process and a
10 public conversation regarding going forward with this.
11 Also a possibility is that the State might propose to
12 create a state vehicle recreation area in these joint
13 properties. The State Parks Division has -- I'm sorry.
14 I'm going to guess -- about eight or ten state vehicle
15 recreation areas, another acronym, SVRA. The SVRA's are
16 managed by the State for OHV use. The OHV community
17 very much supports this acquisition.

18 I have a letter from the Public Lands
19 Roundtable. The Public Lands Roundtable by and large
20 supports the acquisition, but their concern is that this
21 area is a rich and historic tapestry of multiple use and
22 multiple-use recreation. And although OHV use is a
23 primary recreational use in the area, it is not
24 exclusive OHV use. Significant upland game hunting
25 opportunities exist there, as do gem and

1 mineral-collecting opportunities.

2 The Public Lands Roundtable wrote a letter that
3 I passed to the DAC that was cc'd to me asking the State
4 to work with the BLM in a way in which the BLM -- or in
5 a way in which the multiple-use activities that are
6 occurring in this area could continue to occur.
7 Unfortunately the final environmental impact report
8 places what the letter describes as a paltry limit on
9 gem and mineral collecting. They're going to limit
10 collecting to five pounds of material, which is
11 basically a rock, and not a very big one at that.

12 There is confusion over the future of hunting.
13 The committee believed through their interpretation of
14 the document that hunting will be allowed in the interim
15 period but that the subsequent management planning
16 decision may go the other way. And there is also the
17 potential for some routes to be closed on the State
18 properties that are acquired.

19 So this letter has been sent to the DAC, and
20 they're asking for us to stay in tune. And my take from
21 this would be, if we wanted to, to ask the BLM to work
22 with the State Parks to create an MOU for managing this
23 land that allows for the existing activities that we
24 have today to continue in that area, activities that the
25 people of east Kern County have come to love and enjoy

1 in that area.

2 There. I hope that was a fair presentation on
3 the issue. Are there any discussions, anything that the
4 group would like to ask, anything that I would be able
5 to speak on behalf of State Parks? I think I can answer
6 or others. I'd be happy to take those. Don?

7 MEMBER HOUSTON: Mr. Chairman, you referred to
8 an environmental evaluation of the acquisition itself?

9 CHAIRPERSON BANIS: Yes.

10 MEMBER HOUSTON: What did that look like? Is
11 that an --

12 CHAIRPERSON BANIS: EIR.

13 MEMBER HOUSTON: It is an EIR?

14 CHAIRPERSON BANIS: Yes, it is.

15 MEMBER HOUSTON: Is that public?

16 CHAIRPERSON BANIS: Yes, it is.

17 MEMBER HOUSTON: There's a final out now?

18 CHAIRPERSON BANIS: Yes, the final 60 days ago.
19 And as I understand it, there was a 30-day period
20 following that release where entities who wished to take
21 legal action are required to submit a notice to sue.
22 That 30-day period has passed. There is no real protest
23 period. So this is a post-final EIR discussion that's
24 occurring, no question about it.

25 You know, I also want to add -- pardon me -- I

1 also want to add that where Friends of Jawbone has
2 secured a meeting with the addressee on the letter, the
3 deputy director has secured a meeting with the deputy
4 director and his staff for late next week to sit down
5 and work on these issues directly and specifically, and
6 we're really, really looking forward to that very much.
7 And any input that the DAC could have would be helpful
8 in our discussions as well. Thanks again. Seth.

9 MEMBER SHTEIR: Mr. Chairman -- and perhaps
10 this is a question for Al too -- is this area the
11 location of Butterbredt Springs?

12 CHAIRPERSON BANIS: Yes.

13 MEMBER SHTEIR: I know that's a significant
14 migratory birding spot.

15 CHAIRPERSON BANIS: It is. And the birding
16 groups, the OHV watch groups and the general
17 environmental community supports this acquisition. The
18 draft document was framed by saying these are potential
19 renewable energy properties, and we're seeking to
20 integrate them into OHV instead and manage them for that
21 purpose. And the environmental community felt that it
22 was preferable to have this managed as limited use or as
23 a joint-use recreation area than it would be to become a
24 renewable energy development facility.

25 Subsequently, though, there are contentions

1 that frankly wind energy can't be built there. That's
2 why they're selling it. If they could build there, they
3 wouldn't be selling it. It's in a restricted flight
4 corridor for military overflight testing. They are not
5 happy about windmills there. It's also in an area that
6 Kern County has not zoned for wind development. And
7 before the DRECP went dark, early indications are that
8 wind development wouldn't be allowed there either.

9 So my take is that the renewable company read
10 the writing on the wall and wants to dispose of the
11 properties. But nonetheless the discussion was framed
12 as renewable energy or a managed open space OHV
13 recreation area, and there was great support for this
14 acquisition.

15 And again I'm not saying that I or Friends of
16 Jawbone or any others oppose this. It's more that, what
17 happens on the day after the lands are purchased? Will
18 Kim be allowed to collect gems and minerals, and in what
19 quantities?

20 I don't want to get too geeky, but you can see
21 the blue parcels here. This is Red Rock Canyon State
22 Park (pointing). So we do have a significant presence
23 of State Park in that area. Gem and mineral collecting
24 is not allowed, not allowed on those blue parcels.

25 Those blue parcels are down in the bottom of the canyon,

1 and that area had long been known for generations as
2 arguably the best gem and mineral rock-collecting area
3 in the Mojave Desert. Many people thought so. The
4 reason it was such a good place to collect is because it
5 was down in the bottom of the wash and everything washed
6 there and you could get these pieces.

7 Well, where are those minerals washing down
8 from? They're washing down from these higher areas, so
9 there's still significant collectible minerals there.
10 And that's a concern I would think that rock and gem and
11 mineral collectors would have. And upland game hunting,
12 this whole region is known for the best chukar hunting
13 in California and on the east side of 395. So those are
14 just some of the concerns that the folks in Ridgecrest
15 and the Public Lands Roundtable wanted to bring up to
16 the DAC.

17 Again if there's a motion of any kind of
18 support or help, or if there's any other further
19 comments. Dinah?

20 MEMBER SHUMWAY: Yes. So you're leaving it as
21 we're going to be updated on this. Is it your proposal
22 for us to weigh in at some time in the future? It
23 sounds like it's sort of after the fact again.

24 CHAIRPERSON BANIS: I'd be comfortable with
25 entertaining a motion urging the BLM to work closely

1 with the OHV division to develop a memorandum of
2 understanding that respects the current diverse uses
3 there.

4 MEMBER SHUMWAY: At the levels that they're
5 already --

6 CHAIRPERSON BANIS: That's right. And I would
7 say that would be the only focus of our advice that
8 would be appropriate.

9 MEMBER SHUMWAY: Right.

10 CHAIRPERSON BANIS: We're not advising State
11 Parks; we're advising the BLM.

12 MEMBER SHUMWAY: I'd like to put this issue to
13 bed right now, so can we have some input from the rest
14 of the members about whether they want to pursue a
15 recommendation to the BLM to work with managers?

16 MEMBER O'BOYLE: Wouldn't these uses be
17 grandfathered in?

18 CHAIRPERSON BANIS: No. Once they're required
19 to become State Park properties and then are subject to
20 the constraints, activities constraints that State Park
21 properties do. Hunting is allowable in some State
22 Parks, certain State Parks. But it's a special process,
23 and it takes a special recognition. Very few do allow
24 it, but some State Parks do allow hunting.

25 Some State Parks will also allow gem and

1 mineral collecting. If it is allowed, I believe there's
2 a top limit of 15 pounds per day. But this
3 environmental document has chosen to limit the
4 collection to five, for example. So these are things
5 that could occur, should it be the decisions of the BLM
6 and the State Parks and the public working together on
7 the lands.

8 MEMBER HOUSTON: Mr. Chairman, I would ask,
9 normally during the CEQA process -- you mentioned an
10 EIR, so I'm assuming it is a CEQA process.

11 CHAIRPERSON BANIS: Yes.

12 MEMBER HOUSTON: There is a solicitation of
13 public comments, and my guess is the BLM did make
14 comments on this EIR.

15 CHAIRPERSON BANIS: Yes.

16 MEMBER HOUSTON: And I would be reluctant to
17 make a motion until I have read those comments because
18 certainly I wouldn't want to make a motion that is
19 contrary to the comments that are on the record today
20 from the BLM.

21 CHAIRPERSON BANIS: Other comments?

22 MEMBER CAMPELL-ERB: Is there a remaining issue
23 about who or how this area will be managed?

24 CHAIRPERSON BANIS: Yes. An MOU is in
25 development at this time, and this is what we're -- I'm

1 proposing to seek to influence the MOU. That's what I'm
2 seeking, not to influence a CEQA action.

3 MEMBER CAMPPELL-ERB: So we have an opportunity
4 here today request that in the memorandum of
5 understanding the area continue to be managed consistent
6 with the way the BLM has been -- under the same rules
7 that the BLM has been managing the area to date,
8 consistent with that? I would move -- this may be
9 premature.

10 I would move that we recommend that the BLM
11 take the position that the land continue to be managed
12 consistent with the way it is currently being managed
13 over the broader area controlled by the BLM.

14 CHAIRPERSON BANIS: Do we have a second to
15 continue discussion?

16 MEMBER O'BOYLE: Randy, it should be until such
17 time that they come up with a long-term plan.

18 CHAIRPERSON BANIS: That is right. There is a
19 subsequent planning process. This MOU would be through
20 this interim period.

21 MEMBER O'BOYLE: That's fine.

22 CHAIRPERSON BANIS: Is that a second?

23 MEMBER O'BOYLE: That's fine. I'll second
24 that.

25 CHAIRPERSON BANIS: If I may, just a point of

1 clarification. If there's no objection after we've had
2 a little more discussion, before we do take a vote, I
3 think it would be good to hear from public comments.
4 That's generally what we do. And one thing we could do
5 is to discuss and postpone our vote until the public
6 comment period of items not on the agenda potentially,
7 and we could hear from them and we could pick up and
8 have a vote following them?

9 MEMBER SHUMWAY: Would it be appropriate to ask
10 BLM staff who are familiar with this to comment? That
11 way we could get feedback. Teri, is that possible to
12 do? Okay. I would like to hear from the BLM because I
13 that's a good comment that Don made about what they
14 already weighed in with.

15 CHAIRPERSON BANIS: Bingo. Would you mind,
16 Carl? Is it appropriate, would you find? Thank you,
17 Carl.

18 MR. SYMONS: Carl Symons, Field Manager,
19 Ridgecrest Field Office. The comments that we had to
20 the acquisition were more broad ranging and not in the
21 specific modes because what was before us is the
22 acquisition alone. There isn't a management plan or
23 what they had actually intended to do, so our comments
24 to it was that we support the acquisition. We think
25 that it's going to be a great opportunity having the

1 State Parks Department rather than private ownership
2 that we have the ability and the public involvement to
3 manage the land together and that we're looking forward
4 to that. There wasn't anything in the comments that
5 dealt with the future plans because it wasn't
6 appropriate at the time and didn't want to cloud the
7 issues.

8 Since then there has been conversations, and
9 there was a meeting with the State Director and the
10 State Parks Department and myself. I believe Teri was
11 in that meeting as well, and at that time the
12 State Director requested that I work with the
13 State Parks in order to develop an MOU going forward.
14 Mr. Ten was very supportive of this action. And just
15 the overall direction that I got is, this is an
16 opportunity once again for the State Parks and ourselves
17 to work together to provide opportunities for the public
18 that we could not provide individually. And that's the
19 overall arching goal that we have.

20 I have started a draft MOU. I'm working with
21 Mr. Gaffe any from the State Parks Department to
22 basically, as you've kind of commented here -- I'm
23 hearing maybe a little more, and this is good feedback,
24 but that we would continue to monitor and operate as we
25 have been operating. My understanding is it's a three-

1 to five-year process for State Parks to control that for
2 their management plan.

3 The other parts that I hadn't really looked
4 into, and that's something that I can discuss, is the
5 other portions of it, State lands, such as mineral
6 collecting and other stuff because we didn't manage
7 per se that part of the private land as we had it. The
8 agreement was for the protection of the resources for
9 controlling off-road traffic, erosion, keeping and
10 maintaining the trail system that we have and public
11 safety in the area.

12 And in the MOU drafting also is a fact that
13 we'll take advantage of both State Parks law enforcement
14 and our law enforcement as staffing and budget allows.
15 And they have started to step forward. Over the
16 Thanksgiving holiday we had an entire time from
17 State Parks and Jawbone area, which was very much
18 appreciated to try to help with that, especially since
19 this was a higher use than the last few years.

20 CHAIRPERSON BANIS: Just to follow up on Don's
21 question -- and then forgive me if I mischaracterize
22 it -- do you see a conflict between the motion and
23 position stated by the BLM during that CEQA process?

24 MR. SYMONS: No, not at all.

25 MEMBER HOUSTON: You're forgiven. No. What I

1 heard is that the issue of continuing the existing uses
2 under State ownership was not addressed in the written
3 record, as evidenced by their comments during the public
4 comment period. Is that accurate?

5 MR. SYMONS: I can't speak specifically to
6 that. I haven't gone through the EIR in that extent.
7 There is an MOU. We're working with the State in order
8 to develop that. Basically the State will have their
9 land, and we'll have our land. This MOU is where we'll
10 decide how we're going to do that. We have to come to
11 an agreement between the two. We can't force the State
12 Parks into anything, just as they can't with us. But it
13 behooves us both -- as you can see from the map there,
14 there's pretty much to do much for either side without
15 cooperative agreement to manage those types of lands.

16 MEMBER HOUSTON: I see it as neighbors trying
17 to get along here.

18 MR. SYMONS: Yes.

19 CHAIRPERSON BANIS: Yes.

20 MEMBER HOUSTON: Okay. Is the MOU process
21 subject to public review and comment?

22 CHAIRPERSON BANIS: No.

23 MR. SYMONS: No. One other thing I will say is
24 that in the comments one thing I did get is that BLM is
25 committed to the multiuse directive, that it doesn't

1 change our directive as far as our lands. And that was
2 included in there, but that's the basic of BLM's
3 mission.

4 MEMBER HOUSTON: That's what I wanted to here.
5 My only concern is, I don't want to make a motion that
6 is contrary to the BLM's position. And I haven't
7 reviewed the written administrative record, so I'm kind
8 of flying blind here, so there's a little risk, I think,
9 of making a motion at this time.

10 But based on Carl's comments and the BLM's
11 support of the continuing mixed use, I'd have to hear
12 the motion again, but my discomfort is lowered.

13 CHAIRPERSON BANIS: Let me just put forward a
14 scenario that is, I think, what some of the public sees.
15 They would be frustrated if they were on one of these
16 green lines and were doing upland game hunting. And you
17 get your gun out, get it all loaded or whatever. You're
18 doing your hunting for one mile, because every one of
19 these squares is a mile, and then, oh, there's a new
20 thing that's got to be posted. They've got to have
21 signs posted, everything. No hunting. Put your gun
22 away, da, da, da, da. You do that. Go away. Now
23 there's another mile. You can do that here, and then
24 you can't do it for the next mile.

25 Or then the rockhounding and so forth and the

1 cumbersome nature of having to -- it's hard enough for
2 the public to follow one rule set in these areas, and to
3 now have two rule sets that are on a parcel-by-parcel
4 basis is what I'm reading is something that the public
5 would like to avoid seeing that. I'm sorry. I
6 interrupted Al there.

7 MEMBER MUTH: It seems to me from what I've
8 heard that what you were asking for is already ongoing,
9 that there is a cooperative effort underway, that an MOU
10 is being pursued by both agencies.

11 CHAIRPERSON BANIS: Yes.

12 MEMBER MUTH: So I'm not sure I quite follow
13 what the issue is or what you want that isn't already
14 underway. Hang on, Randy.

15 CHAIRPERSON BANIS: Good point.

16 MEMBER MUTH: The other thing is, I'm
17 uncomfortable with proceedings of this nature because
18 this is the first time I've seen it. And as Don says, I
19 have no idea what the background documents are for this,
20 so I would think it's a little premature to make a
21 recommendation to pass on to the Bureau, but it sounds
22 like it's already happening.

23 CHAIRPERSON BANIS: As Don asked about how
24 MOU's are developed, they're not developed necessarily
25 for public comment and public scrutiny, so this

1 conversation is creating revelations to us, and we're
2 getting new information and helpful information on this.
3 And I'll agree, you know, I'm happy to hear what I've
4 heard from Carl here. That makes me feel comfortable.
5 I don't see anything wrong with us saying, kudos, carry
6 on.

7 DIRECTOR RAML: Can I add something, Randy.
8 Maybe this will help a little bit. I think Carl and I
9 have been involved since the very beginning -- actually
10 even Daphne Green was still with the State Parks
11 division. Hector and I were involved. I think the
12 process is similar to a lot of our processes. There's
13 the EIR that goes to the acquisition, but with the EIR
14 with the acquisition there's certain statements made
15 about potential future land use.

16 I'll try to see if this works. What the issue
17 is, in a way, is a level of trust that -- okay.
18 Everybody thinks the acquisition is great. What the
19 concern is, is once the acquisition is made, what is the
20 level of commitment to working together and not, you
21 know -- and I think it would be a little naive of us to
22 say there is no potential for any changes. I mean, the
23 State Parks has the way they have done their business,
24 and so has the BLM. And I think if I can kind of
25 surmise what's going on with the Friends of Jawbone is

1 that they want some kind of assurance that there's a
2 process and discussion before there is a change made.

3 So everybody likes the acquisition, but then
4 what? And I think that's what's here: but then what?
5 And the EIR that covers it doesn't make any commitments
6 on future management. It just says the potential for
7 management in the future and could include the
8 following. And like Randy and the other group bring up,
9 if you look to how State Parks normally manages, you'll
10 have fees, hunting may be restricted, you know, so I
11 think people are -- it is appropriate for people to be
12 concerned about what will be the management framework in
13 the future, but we're not there yet.

14 MEMBER HOUSTON: Yeah. Usually these are
15 lengthy processes. And our next meeting is in March,
16 and I think the council needs time to do its due
17 diligence on this issue. I think it is an important one
18 and, I think, something we should address. But I think
19 it would be more prudent to table it until the next
20 meeting so we can do our due diligence then bring it to
21 the vote of the --

22 CHAIRPERSON BANIS: May I ask, what do you
23 envision for timing on this, Carl? Now, They haven't
24 bought the land. They've got the okay to do it.
25 Theoretically I think they could go and do it. And

1 you're doing the MOU. What do you think is the timing
2 is on this?

3 MR. SYMONS: First of all, we can't enter in
4 the MOU until they own the land. That's the first
5 issue. I can't have an MOU on an area they don't own.
6 So that's the first limitation that will happen is, the
7 acquisition has to be finalized, and they have to take
8 possession.

9 The second part is up to the Parks and myself
10 or the BLM to do. And these discussions are really
11 great as far as Mr. Chair. I appreciate you bringing it
12 forward. I've actually written some things down here
13 that as I go back in tweaking it in our discussions that
14 I hadn't actually looked up because it sort of deals
15 with them, but maybe there is that possibility to bring
16 more of a joint management together for the convenience
17 of the public, which is, I think, both of our needs.

18 And I agree that, as you go down and you cross
19 over a section line which aren't marked because they've
20 been managed basically together, it is confusing for the
21 public at best. And that's why the importance of this
22 MOU so there is a consistent management strategy for the
23 area. And I'd be happy to bring it up as a topic at the
24 next DAC meeting and keep the DAC informed of where
25 we're at in the process.

1 CHAIRPERSON BANIS: Kim?

2 MEMBER CAMPELL-ERB: I have a couple of
3 questions. First when would they anticipate that the
4 acquisition would be complete? And what happens with
5 the management plan for that land in the interim after
6 the acquisition is complete, because the public is still
7 going to be there, and there are still going to be these
8 checkerboards, and the public is not going to know for
9 the most part whether they're on an area where they can
10 collect a reasonable amount of rock or whether they're
11 going to be limited to five pounds, which is ridiculous,
12 really.

13 And I think that's where the concern is. The
14 people who use the desert are going to continue to be
15 out there. So the interim plan once the acquisition is
16 complete is of great concern to a lot of us.

17 MR. SYMONS: When the acquisition comes
18 through, the Parks Department will manage their land,
19 and we'll manage those. Still without an MOU or
20 anything else, they'll be like any other landowner until
21 the MOU is put together. That's one of the reasons why
22 we don't want a long delay between the acquisition and
23 the MOU in order to try to put something together in
24 order to have that consistency. But until that time
25 it's the State Parks that will regulate their own land

1 and -- well, they always will, but they'll regulate
2 their own land independent of BLM until we have an MOU
3 or some sort of agreement in place. And that's one of
4 the issues that you'd have to take up with the
5 State Parks.

6 CHAIRPERSON BANIS: April?

7 MEMBER SALL: Thank you. Being that this is
8 the first time I've heard this issue, it seems to me
9 that there is still plenty of opportunity. And it's a
10 good time for this issue to be brought up to the BLM's
11 attention and for the public comment to be considered,
12 but it seems to me premature for the DAC to make a
13 recommendation given how early we are in the process.
14 I'm fairly familiar with the checkerboarded land
15 ownership challenges and how that land goes forward and,
16 you know, with Wildlands Conservancy and checkerboard
17 acquisitions.

18 And we certainly had lots of conversations with
19 BLM, but my understanding is that it pretty much
20 functions as a status quo until there is a management
21 plan or actions taken. So I think that it sounds like
22 there is time for us to make appropriate recommendations
23 at appropriate times. I'll see if DFO has any other
24 thoughts.

25 CHAIRPERSON BANIS: Don, do you want to make

1 your recommendation, do a motion to postpone until our
2 next meeting?

3 MEMBER HOUSTON: Is that really necessary? If
4 the motion before us just dies, then as chairman you can
5 agendize anything you want to. So I don't think we need
6 a motion.

7 MR. ALGAZY: Will the public get to talk before
8 you make a decision?

9 CHAIRPERSON BANIS: The reason I'd like to have
10 a motion to postpone is so that the public sees it's
11 still on our table, that we didn't just let a motion
12 die.

13 MEMBER HOUSTON: Let's listen to the public,
14 and then we can vote.

15 CHAIRPERSON BANIS: Is that fine? Would you
16 like to do that?

17 MEMBER HOUSTON: Yeah.

18 MEMBER SHUMWAY: Yes.

19 MR. SYMONS: Mr. Chairman, one thing I want to
20 make sure I understand is that just as the acquisition
21 and the planning is a two-part process, there will end
22 up being two MOU's. One will replace the other. The
23 first MOU will be the interim MOU, which will be managed
24 until such time as a management plan is put together for
25 the Parks. And then a much more detailed and in-depth

1 MOU, depending on what comes out of the planning
2 process, will have to be put. So I wanted to make sure
3 people understand this won't be the MOU that stands from
4 here on. This is an interim MOU to get us until the
5 planning process is done; okay?

6 CHAIRPERSON BANIS: Very good. Before we take
7 that comment, if there's no objections from the DAC, I'd
8 like to move to this second rather related item, and we
9 may be able to hear from the public on both of these in
10 that same opportunity. Thank you, by the way. Thank
11 you all for your thoughtfulness and the comments. And I
12 think this is going to be an interesting topic as we
13 continue.

14 Here we are back again. I wanted to make the
15 board aware of a neat development in Los Angeles County.
16 The County of Los Angeles receives money from the OHV
17 division to manage off-highway vehicle use in the
18 county. At this time the County has very little
19 facilities themselves for OHV. They have been using the
20 money to help contribute to infrastructure improvements
21 in other OHV areas like, for example, a Forest Service
22 OHV area in San Gabriel Canyon. They've used money to
23 put in an obstacle course for recreation. But they
24 don't have a recreation area of their own, L.A. County,
25 and they've been trying to put in an OHV park somewhere

1 in the county for many years, and they seem to be run
2 out of every neighborhood they go to.

3 This is an unusual situation where -- what we
4 have here is, this is outside of Little Rock or outside
5 of Palmdale. This is the Angeles National Forest.
6 These are private parcels. These four areas here are
7 private parcels, private parcels that have been a
8 longstanding de facto OHV use area. It is a highly
9 developed network of primarily four-wheel drive trails
10 there. Adjacent is this parcel of BLM lands. It
11 contains that same network.

12 The Forest Service has been unable to develop
13 any egresses in here because it doesn't have any nexus
14 through either of those properties. The County of
15 Los Angeles applied for an acquisition grant from the
16 OHV fund and received it last year, so they have the
17 money to make this purchase, and there is a willing
18 seller.

19 And it's a small area. The whole thing
20 together, 550 acres. This is a mini-park. This may be
21 the future of OHV, quite frankly, in going forward. I
22 personally think the days of big, hulking gigantic tens
23 of thousands of acres OHV areas, I think that's over. I
24 don't think that's in our future anymore.

25 When I see the Desert Renewable Energy

1 Conservation Plan looking to essentially designate each
2 square, every acre of the desert, as something, I've
3 seen some of the preliminary planning before it went
4 dark, and there are no future OHV open recreation areas
5 in that DRECP plan. There are no new OHV open areas.
6 So what we have now for OHV open areas in the California
7 desert in my opinion is pretty much going to be it for
8 perpetuity.

9 And those are shrinking. Even though we have
10 them, they are still shrinking. The potential loss of a
11 third or more, up to two-thirds of Johnson Valley may be
12 just down the road. We've lost a lot of recreation in
13 this area. This area right down in here, Little Rock
14 Dam Recreation Area, used to be a network of OHV trails
15 and used to be an OHV open area. It is no longer. So
16 the community of Little Rock, the Little Rock Town
17 Council and members of the Vehicle Recreation Community
18 of the Antelope Valley are supporting this project by
19 L.A. County.

20 A meeting was held in Little Rock last month.
21 Nearly 300 attendees mostly from the Antelope Valley
22 turned out in support of this. So if there were a
23 statement from the DAC on this, I would envision it
24 would be something maybe limited in just saying that
25 we'd ask the BLM to cooperate with Los Angeles County

1 Department of Parks and Recreation as it moves forward
2 to explore the potential of a jointly managed 550-acre
3 OHV park.

4 I'm not going to talk for Parks and Recreation
5 or the County. My guess is that these parcels, if their
6 process continues to go through only on their own, they
7 will still purchase and try to develop that as a
8 recreation area. But these adjacent BLM lands that just
9 are left alone out there, I think, would make a great
10 companion area for nice OHV mini-park for the people of
11 Little Rock. That would be all we could say is to
12 cooperate with L.A. County in developing a jointly
13 managed OHV park of the Little Rock area.

14 Thank you for letting me bring this up before I
15 turn the floor over to the DAC. Dinah?

16 MEMBER SHUMWAY: Is there opposition to this
17 project?

18 CHAIRPERSON BANIS: Opposition is from the
19 Juniper Hills Town Council. Juniper Hills is over there
20 (pointing) off the map. There are concerns of dust,
21 concerns of noise and concerns of fire. I have to say
22 that whether or not these properties are purchased,
23 whether or not this is made into an OHV park, this
24 activity is occurring every single day there,
25 significant desert dumping. There's not a day in which

1 there isn't use out there, unmanaged use. No one is
2 checking for spark arresters. No one is checking for
3 alcohol use in driving. No one is checking for
4 anything.

5 To make this into a managed OHV park would
6 introduce containment, which has been asked for.
7 Containment. Mitigation could include no overnight
8 camping. It would allow the sheriff's department to
9 have a presence there and to be able to patrol. And so
10 essentially this area is a de facto OHV use area, and
11 we're hoping to legitimize this as an official area to
12 bring the potential impacts better under control.

13 MEMBER HOUSTON: Mr. Chair.

14 CHAIRPERSON BANIS: Don.

15 MEMBER HOUSTON: Just for my clarification, in
16 your mind this is an L.A. County project?

17 CHAIRPERSON BANIS: Yes.

18 MEMBER HOUSTON: What is the nexus that this
19 project has with BLM land-management responsibilities,
20 in your mind?

21 CHAIRPERSON BANIS: It would be to request the
22 cooperation -- L.A. County has approached the BLM for
23 input on the potential of having a jointly managed OHV
24 park there. And I would just say that we'd like to
25 encourage the BLM to continue those discussions and move

1 forward with that.

2 MEMBER SHUMWAY: Is the County looking to have
3 a joint management?

4 CHAIRPERSON BANIS: Yes.

5 MEMBER SHUMWAY: Okay. Fine.

6 CHAIRPERSON BANIS: But if all they get is
7 their own private parcels, they'll do what they do on
8 their own, but they'd like to have a larger. I wish
9 this would do it a little better. I don't know that
10 this is going to really do it. Do you see the network
11 of trails here? This is the approximate private parcels
12 would be right here, and the BLM parcel is over here
13 (pointing). And the boundary with the Forest Service is
14 right across there. That's the Forest Service boundary
15 there, so it's very small, just in this area. April?

16 MEMBER SALL: What have been the conversations
17 with the Forest Service, and what have been their
18 commitments to any cooperation in enforcing boundaries,
19 and what are the current OHV policies in that part of
20 the forest?

21 CHAIRPERSON BANIS: There are no designated
22 trails, no designated OHV use on the Forest Service
23 lands in that area. The Forest Service is withholding
24 comment because there is no action, official
25 environmental document yet to comment on, and the Forest

1 Service is being tightlipped about it.

2 There is no barriers at the boundary at this
3 time. And so I've been there, and you don't know that
4 you're crossing into those lands by any nature
5 whatsoever. No one is turning around and going back
6 that road. They just keep on going on.

7 MEMBER SHUMWAY: There's no signs because it's
8 not a designated road?

9 CHAIRPERSON BANIS: There's no sign. There's
10 no fence. There's no anything. And if this property
11 were an OHV area, the mitigation being proposed is that
12 it would be contained with fencing.

13 MEMBER SHTEIR: Mr. Chairman.

14 CHAIRPERSON BANIS: Yes, you bet. Seth,
15 please.

16 MEMBER SHTEIR: Quick question. In the Forest
17 Service adjacent area, is it federally designated
18 Wilderness, or is it --

19 CHAIRPERSON BANIS: No, not Wilderness. I
20 don't know what their equivalent to limited-use
21 designation is, but it is not Wilderness.

22 MEMBER HOUSTON: Does she need a break?

23 CHAIRPERSON BANIS: Are you okay? Diane, are
24 you okay?

25 THE REPORTER: Within the next few minutes a

1 break would be great.

2 CHAIRPERSON BANIS: Sure. That's good. I
3 think we're close to finishing this, and we'll be about
4 to take public comment on it shortly. Do we have other
5 comments, or is that good, or is there a motion, or do
6 we not want to hear anything on this issue?

7 MEMBER SALL: We do not have a motion yet;
8 correct?

9 CHAIRPERSON BANIS: We do not have a motion.

10 MEMBER SALL: I would suggest if we did propose
11 a motion, that it contain conversations in cooperation
12 with the Forest Service as well.

13 CHAIRPERSON BANIS: Very good. Do you want to
14 make a motion with that so we get it on the table?

15 MEMBER SALL: Public comment.

16 MEMBER HOUSTON: Yeah, I thought we were going
17 to listen to the public first.

18 CHAIRPERSON BANIS: Very good. Okay. Very
19 good. Generally I like to have a motion to speak to or
20 to hear on, but I'll allow general discussion.

21 MEMBER JOHNSTON: Randy, so there has not been
22 an EIS done on this?

23 CHAIRPERSON BANIS: No. Very good. It sounds
24 like the DAC would like to hear from the public, and
25 before we do, we're going to take a brief break for our

1 stenographer to rest a tad and get ready for fast and
2 furious words on the public from this. Thank you very
3 much. We'll be back in ten minutes? Ten minutes,
4 please. Don't go far.

5 (A brief recess was taken.)

6 CHAIRPERSON BANIS: Thank you very much for the
7 short break. And if everybody could take their seat,
8 we'll resume with public comment for items not on the
9 agenda, but we'll also include our items we've discussed
10 just a few minutes ago.

11 The first speaker is Carl Symons, BLM. Items
12 not on the agenda.

13 MR. SYMONS: Thank you Mr. Chairman. I would
14 just like to read a little statement for informational
15 purposes, some activities that are going on at the
16 corrals situation we have.

17 Basically, "In the past 30 days the Ridgecrest
18 Regional Wild Horse and Burro Corrals have reported 15
19 horse fatalities that appear to be related to a single
20 undetermined cause. The Bureau of Land Management is
21 working closely with state and federal animal health
22 authorities along with a local veterinarian to determine
23 the cause and decide the best course of action to
24 protect the health and well-being of the wild and horses
25 and burros at the Ridgecrest Corrals.

1 "At this time the cause of the deaths does not
2 appear to be contagious. The California Animal Health
3 and Food Safety Laboratory in San Bernardino is testing
4 samples from affected animals and feed supplies, and the
5 results are still pending.

6 "A wild horse and burro adoption planned for
7 December has been canceled, and no animals have been
8 adopted since October. Animals are not being received
9 or shipped from the facility. The Ridgecrest Corrals
10 have approximately 800 wild horses and burros at this
11 time.

12 "Additional information will be provided as it
13 becomes available."

14 And we also have Steve Razo as a public contact
15 if anybody has any questions or further information down
16 the road, and his number is 951-697-2517 (as spoken).
17 And this information will also be posted.

18 MR. RAZO: 5217.

19 MR. SYMONS: Sorry.

20 CHAIRPERSON BANIS: Read the number from the
21 start again. I'm sorry.

22 MR. SYMONS: I'm sorry. 951-697-5217, and it
23 will also be posted on our website.

24 CHAIRPERSON BANIS: Thank you.

25 MR. RAZO: If I may add, there is a copy of

1 that statement out on the table now for the public, and
2 as Carl indicated, it will be going live on the website
3 at any moment. He needed to make the announcement
4 first.

5 CHAIRPERSON BANIS: Thank you. Next speaker,
6 three minutes, Ed Waldheim followed by Gerry Hillier.
7 Ed?

8 MR. WALDHEIM: Thank you, Mr. Chairman.
9 Ed Waldheim, California Friends of Jawbone, Friends of
10 El Mirage and California Trail Users Coalition. I would
11 respectfully request all of you to please vote on the
12 motion that was presented to you by Kim and seconded by
13 Paul. Why? The State Park is on a mission. They're on
14 a mission to create an SVRA, state vehicle recreation
15 area. They already have plans in place. They already
16 know what they're going to do. They're just buying time
17 to jam this down our throat. They want to be the big
18 boy, the big gorilla. They say now that the BLM is the
19 minority property holder, just a gall for them to say
20 that.

21 Carl is doing everything in his power to do the
22 MOU, but he needs to know that you guys are behind him,
23 that what he does is on behalf of the Bureau of Land
24 Management. We cannot let underlying -- big
25 underlying -- to let the State Department of Parks and

1 Recreation run us over, shotgun over us and just run
2 over us. All you would be doing is supporting Carl to
3 negotiate to work on a good MOU and then come back to
4 you to work on it, because trust me, they are on a
5 mission, and they are not going to stop.

6 Just look at the fiasco in Red Rock State Park.
7 They just closed a trail that's been open for 50 years,
8 Nightmare Gulch, no public, nothing. Then the slide
9 came down. Then they realized, we made a mistake. We
10 didn't need to close it. We need to have the
11 environmental documents to open it up again, but we
12 don't have any money. Therefore we are out of luck.

13 I do not trust the State Parks. I work with
14 those people, but trust me, they are holding the Bureau
15 of Land Management in contempt because, yes, we have
16 managed poorly a lot of areas in the BLM. There's no
17 doubt about that. But Jawbone Dove Springs is a totally
18 different place. There is nothing -- I'll put Jawbone
19 Dove Springs against any other SVRA any other place in
20 the world on how it's managed. We're doing management
21 better than anybody else with \$500,000 versus the
22 State Parks' 200,000 acres of SVRA's that have been
23 used, \$13 million, and all we get is 500,000 to work on
24 1.9 million.

25 So trust me, please make a yes on the motion.

1 You're not giving anything away, but you're giving Carl
2 the support to do the right thing for the public for the
3 general use to continue as it is right now.

4 As far as L.A. County is concerned, we would
5 like you to make a motion to support because we'd like
6 to get those BLM lands that are unclassified around that
7 area to be in participation with the Los Angeles County
8 so they can utilize it and manage it so it's a win-win
9 for all around. So we'd like the DAC to support that
10 project and ask the BLM to please proceed and get that
11 going. Thank you.

12 CHAIRPERSON BANIS: Thank you, Ed.
13 Gerry Hillier followed by Marie Brashear.

14 MR. HILLIER: Good morning, council, and good
15 morning, Mr. Chairman. Actually I'm going to speak to
16 three points very quickly. The easy one first, items
17 not on the agenda. I want to repeat a request that I
18 had made earlier at previous meetings relative to the
19 Desert Tortoise Recovery Plan and the recovery
20 implementation team work. It's been about a year since
21 they have surfaced. Fish and Wildlife has not completed
22 their review. It supposedly is not in the public, even
23 though I think some of it has been circulated.

24 In the conversations that I've had with Fish
25 and Wildlife, I would like to emphasize that I think

1 there's a role for the council to play in terms of
2 looking at these recovery implementation actions that
3 are proposed and for the council -- or at least BLM to
4 discuss the extent to which they have provided
5 management review. And I think it's a function going on
6 that I think is of direct interest to the council on a
7 district-wide basis because all of the Mojave Desert and
8 all of the Sonoran Desert has been covered with these
9 proposals, and I think it's something there that
10 certainly the BLM -- even they didn't ask for your
11 advice, there needs to be full disclosure of how they're
12 going to proceed because it is going to carry on
13 implications for continuing land use separate and apart
14 from the land-use plans.

15 Second, I'm sorry that the local government
16 representative for the council today, Zack Scrivner from
17 Kern County, is not present. The subject relative to
18 Jawbone that you brought up not only is a perfect
19 example of why the council has a local government
20 representative, but this happens to fall in Kern County
21 Supervisory District No. 2, which is his district.
22 And so I would urge you, whatever you do and whatever
23 contact you make, that you get specific input from
24 Kern County in terms of their thoughts and
25 recommendations regarding this. I think that's

1 critical.

2 One of the things -- and I'll remind the
3 council what they -- I guess it was at the meeting
4 almost a year ago, one of the things Zack said -- and it
5 was echoed of course by both Riverside and
6 San Bernardino Counties -- no more land acquisition
7 taking land off the tax rolls. Kern County has been
8 very, very adamant about this, and this is a perfect
9 example.

10 As far as the proposal in Jawbone goes, I think
11 it's just disastrous. With Red Rock State Park, they
12 may acquire it at this point as a motor vehicle
13 recreation area, but with the Red Rock State Park
14 sitting next to there, there's no --

15 (Interruption in proceedings.)

16 CHAIRPERSON BANIS: Please.

17 MR. HILLIER: -- there's no guarantee that it
18 will remain that. Remember that Red Rock 30 years ago
19 was originally established as a State Recreation Area
20 under State Parks administration. Later it was changed
21 to a State Park. And then subsequently under the Desert
22 Protection Act it was expanded to incorporate even more
23 land. And as far as I'm concerned, beyond the State
24 Vehicle Area, that's the 800-pound gorilla in the room.

25 And my experience certainly over a number of

1 years of working with inter-agency operations like this,
2 if State Parks gets that land and gets the proverbial
3 camel's nose into the tent, they will end up trying to
4 dominate management and will tell BLM how that is to be
5 taken care of.

6 And I think it's fair to remind the council
7 this area was a subject of litigation some years ago to
8 remove off-highway vehicle use. And Judge Toshima in
9 District Court had an exchange with the Sierra Club
10 attorney, which was, I think, meaningful and something
11 to remember. This area has been managed as an open area
12 in Dove Springs and then as an open trail area, and the
13 the Sierra Club wanted the entire area closed. They
14 sued the Bureau in the early '80s. It was almost 30
15 years ago. I apologize for being an old guy and
16 reminding people of history, but I remember the judge
17 took the case because he had desert experience and he --
18 it was a joke at the time there because he had spent his
19 youth at Manzanar. He was the same age as I was.

20 And so at any rate, he said, "Ms. Reams," who
21 was the Sierra Club attorney, "what's going to happen if
22 I ask BLM to close this area?"

23 And she said, "Well, nothing except that this
24 is the first, really, area of public land coming north
25 from L.A. that people discovered long before BLM got

1 into management. But if you close the area," which in
2 their opinion it needed, "there's a perfectly good open
3 area about 30 miles north in Spangler Hills."

4 And the judge said, "What's going to prevent
5 you from coming back before this court ten years from
6 now and saying, 'Well, it's being overused; close that
7 area too, judge'?"

8 And she said, "Nothing."

9 And so remember, these open areas and these
10 designated-use areas are critically important, that the
11 BLM form a multiuse management for rockhounding, hunting
12 and general recreation is extremely important, and the
13 current level of management needs to be maintained.

14 CHAIRPERSON BANIS: Finish up very quickly,
15 please.

16 MR. HILLIER: Last point, L.A. County, tell
17 them to get a Recreation and Public Purposes Act Lease.
18 Get BLM out of there because it's a small track. The
19 reason they've got it is because BLM can't afford to
20 send anybody down there. Now cooperative management is
21 absolutely impractical. Turn it all over to L.A. County
22 under RNPP.

23 CHAIRPERSON BANIS: That's what they're asking
24 for.

25 MR. HILLIER: Okay.

1 CHAIRPERSON BANIS: Don, question.

2 MEMBER HOUSTON: Going back to your first
3 statement regarding the Desert Tortoise Recovery
4 Implementation Plan, what is your knowledge about the
5 level of coordination between the service and BLM right
6 now?

7 MR. HILLIER: They say they're talking
8 together, but I am not aware of much dialogue that has
9 been going on. I have personally not been aware of any.
10 The service assures me that they're going to have a
11 management oversight group meeting which should bring
12 all the parties together, but a date for that has not
13 been set. And my organization, QuadState Local
14 Governments Authority, has been pressing the regional
15 office to call this together so there is a formal
16 dialogue that goes on not only with BLM but other
17 federal agencies involved, but to date that still has
18 not happened.

19 CHAIRPERSON BANIS: Thank you, Don. Thank you,
20 Gerry.

21 MR. HILLIER: Thank you, Randy, for letting me
22 run over.

23 CHAIRPERSON BANIS: Thank you. Marie Brashear
24 followed by Jay Erb. Good morning, Marie.

25 MS. BRASHEAR: Good morning, Randy.

1 CHAIRPERSON BANIS: Nice of you to join us
2 yesterday too.

3 MS. BRASHEAR: Thank you. I have two or three
4 points I want to make probably within three minutes.
5 The first one is that I have been involved with the
6 acquisition at Jawbone for since they came and said they
7 wanted to do it. I think both Gerry and Ed, if you look
8 at carefully what they said, were basically saying the
9 same thing, that you should vote on something so that
10 Carl knows that he has your support. But I also think
11 the State cannot be trusted. And so it has to be -- and
12 Carl is that kind of a manager -- it has to be somebody
13 who is pretty strong to work out the MOU.

14 If you're worried about signing on to a
15 document, you get a chance to comment on the management
16 plan, what they say they're going to do with the area.
17 That's the real EIR, so you aren't losing anything. And
18 as a rockhound myself, five pounds out of there is
19 nothing, maybe a rock about that big (indicating). And
20 it is nothing. The one in Los Angeles County
21 definitely, BLM needs to get out of there, give it to
22 the county of Los Angeles on an RNPP. It's a wise move.
23 And I think those are the comments I wanted to make.
24 Thank you.

25 CHAIRPERSON BANIS: Thanks, Marie. Thank you.

1 We have Jay Erb followed by Jim Bramham, please.

2 MR. ERB: Good morning, Mr. Chairman --

3 CHAIRPERSON BANIS: Good morning.

4 MR. ERB: -- and members of the DAC. I'm
5 pleased as punch with the turnout of rockhounds today.
6 It's actually tightening me up a bit.

7 Okay. I would like to ask the DAC to consider
8 the possibility of allowing possibly selling a limited
9 number of permits to rock clubs for access to some of
10 the historic published collecting sites within
11 Wilderness areas or other areas managed by the BLM where
12 we can no longer collect. Perhaps this could be allowed
13 under the umbrella of multiple use. That is my comment.
14 Thank you.

15 CHAIRPERSON BANIS: Very good. Thanks for
16 coming, Jay. Thank you. Jim Bramham, please, followed
17 by Ron Kemper.

18 MEMBER SHUMWAY: Hey, it's Santa.

19 MR. BRAMHAM: Fat old guys are not well
20 appreciated most of the year, so we have to take
21 advantage of the moments that we are.

22 CHAIRPERSON BANIS: Ho, ho, ho.

23 MR. BRAMHAM: Thank you, Randy. Very well
24 done.

25 Comments as to the land acquisition. We seem

1 to be on both sides of the Golden Rule. The gold of the
2 "He who has the gold makes the rules," State Parks has
3 the money, they are the only folks who have the money to
4 be able to buy this piece of property, and thus they are
5 going to try to invoke as much rule as they can.

6 The other side of that Golden Rule is, "Do unto
7 others as you would have done to you," and it's
8 incumbent upon State Parks to try to work with all of
9 those who have concerns to be able to create a positive
10 outcome to this.

11 And the OHV level of distrust for the State is
12 very high. We look at acquisitions at Hollister that
13 took 17 years to get vehicles back on. We're still at
14 Carnegie State Vehicle Recreation, still trying to do
15 something that dated back to the '90s for an
16 acquisition. So their history of acquisition -- and of
17 course we're doing the same thing at Ocotillo Wells. So
18 all of those make the OHV community very nervous about
19 the idea of the State being involved in something like
20 this.

21 So I think the idea of you folks doing some
22 form of an agreement or an MOU push where BLM tries to
23 push some more of its authority, some more of its
24 authority to actually be on the ground there better than
25 State Parks is a good thing.

1 And on the other side of that, you look at
2 Little Rock. Again he who has the gold makes the rules.
3 The State has the money to purchase that for
4 L.A. County, and you are asking them to move forward
5 with that. So there's some form of deal. But in that
6 case they're willing to hand L.A. County the fee simple
7 title to that, and it will make it an entirely different
8 acquisition style.

9 But at the end of that we certainly hope that
10 the Bureau of Land Management will step way from that
11 isolated piece of property that's up against Forest
12 Service land, and once it's designated, that purchase is
13 done and the L.A. County takes control of the adjacent
14 lands, that BLM will just completely step away from that
15 and let L.A. County be the owner and primary manager.
16 Thank you.

17 CHAIRPERSON BANIS: Thank you, Jim. Thanks for
18 coming today.

19 MR. BRAMHAM: Oh, no problem.

20 CHAIRPERSON BANIS: Ron Kemper followed by
21 Mark Algazy. Good morning, Ron.

22 MR. KEMPER: Good morning. Ron Kemper,
23 K-e-m-p-e-r. I was invited here today to talk a little
24 about grazing issues, but before I get into that, I did
25 want to ask Carl, I recognize the map that was up on the

1 screen as being part of an active allotment, being the
2 Onyx Ranch. I'm assuming, even with the State buying
3 those private parcels, that that won't affect that
4 allotment and how it's run, or will there have to be
5 adjustments made?

6 MR. SYMONS: As far as the graze allotments,
7 definitely it will add some complications to it
8 concerning that those lands are private lands -- well,
9 they belong to the State; they don't belong to the BLM.
10 And trying to do a grazing allotment in checkerboard
11 without the cooperation is extremely difficult, and
12 those are discussions that we're having right now with
13 the State to try to determine how we're going to work it
14 out. We've also had those discussions during the EIR
15 acquisition, how we're going to manage the grazing. But
16 final decision has not been done yet.

17 MR. KEMPER: My concern is for the economic
18 viability of that remnant holding. There are some major
19 water sources that are in those checkerboards that
20 probably affect 30 percent of that ranch, easily 20
21 percent of it. So without addressing those issues, it
22 will make managing the remainder a very expensive
23 proposition because fencing will be required and that
24 sort of thing.

25 MR. SYMONS: Correct. Grazing has a lot of the

1 same issues as the OHV does. When you're in
2 checkerboard situation, in order to make it viable and
3 economic and run together efficiently, there needs to
4 somehow be an agreement in order to manage it in one
5 direction with one type of plan.

6 MR. KEMPER: Yeah. So from the producers'
7 standpoint, or at least those of us that are still in
8 the desert as producers and that are grazing on
9 Public Lands, we'd like to save those opportunities not
10 only for us but for future generations, if possible.

11 Thank you, Carl. When I was invited here, I
12 guess they wanted me to give a little bit of history of
13 grazing and the economic viability. Do you want me to
14 do that at a later date?

15 CHAIRPERSON BANIS: We've got you on the agenda
16 next. After this discussion is over, you're on.

17 MR. KEMPER: Very good. Thank you.

18 CHAIRPERSON BANIS: And by the way, Ron is a
19 former chairperson of the Desert Advisory Council. How
20 many are in that club in the audience today? Look at
21 that. We've got two members of the former DAC chair
22 club members. Maybe one day they'll accept me into the
23 club.

24 Last comment is Mark Algazy. Mark?

25 MR. ALGAZY: Everything has already been said.

1 CHAIRPERSON BANIS: Thank you, everybody, for
2 your input on those items not on the agenda and for the
3 two items that we've discussed today.

4 Any discussion on behalf of the DAC? We have
5 one motion on the table relative to East Kern
6 Acquisition. We do not have a motion on the table
7 relative to Little Rock OHV area.

8 MEMBER SHUMWAY: Can we have a motion reread.

9 CHAIRPERSON BANIS: Do you have that?

10 THE REPORTER: Yes. Who made the motion?

11 CHAIRPERSON BANIS: It was made by Kim Erb.

12 MEMBER CAMPBELL-ERB: Kim Campbell-Erb.

13 THE REPORTER (Reading from the record): "I
14 would move that we recommend that the
15 BLM take the position that the
16 land continue to be managed
17 consistent with the way it is
18 currently being managed over
19 the broader area controlled by
20 the BLM."

21 MEMBER SHUMWAY: Diane Shumway, nonrenewable
22 resources. My inclinations are to encourage Carl to go
23 forward with exactly that, to try to make his memo of
24 understanding -- this is an interim management plan
25 we're working on; right?

1 CHAIRPERSON BANIS: Interim MOU.

2 MEMBER SHUMWAY: Interim MOU, include the
3 management practices that are in place now for the BLM
4 lands. I mean, it's pretty simple, I think.

5 CHAIRPERSON BANIS: Do we have more comment, or
6 should we move into a vote? Don?

7 MR. HILLIER: Has Kern County been contacted?
8 I did raise the issue, and I would reaffirm my --

9 CHAIRPERSON BANIS: Kern County has -- I have
10 personal knowledge that Kern County has been asked for
11 comment and to participate and they have not yet.

12 MR. HILLIER: Okay.

13 CHAIRPERSON BANIS: We are exchanging e-mails
14 with the planning director at this time for the
15 opportunity to get on her calendar.

16 MEMBER HOUSTON: I share your concern, Gerry,
17 with the absence of our elected official at this meeting
18 when we're considering something in his district. Carl,
19 will there ever be a time in the future when the council
20 has a chance to look at this MOU and review it? I like
21 to read what I'm voting on.

22 MR. SYMONS: The draft MOU, I'm just trying to
23 think of it because it's not something that's out for
24 public comment as to how -- I would have to get back to
25 the DAC as to whether it's something that the DAC could

1 take into consideration or whether it's an internal
2 agreement document between us. I've never gone out in
3 this situation before, so I'm afraid I can't tell you
4 whether or not. I just know it's not normally a public
5 document that goes out for public review before we do
6 it.

7 Do you have any other experience with that,
8 Teri?

9 DIRECTOR RAML: No, I don't either, Carl. So
10 we can ask. I don't see any problem with the DAC
11 looking at it and reviewing, but it is unchartered turf
12 for us.

13 MR. SYMONS: Yeah. There's nothing in there
14 that I would not want anybody to see. It's a matter of
15 protocol, policy and precedence. That's what I'm
16 looking more at.

17 CHAIRPERSON BANIS: Ron?

18 MEMBER JOHNSTON: Just in clarification, it
19 sounds as though because of the lack of authority that
20 we would really have in the situation, that this vote on
21 this motion is nothing more than a vote on an advisory.
22 Is that correct? Am I reading it correctly?

23 CHAIRPERSON BANIS: Yes.

24 MEMBER JOHNSTON: Okay.

25 CHAIRPERSON BANIS: Hearing and seeing no

1 further speakers on this motion, I'm going to call for a
2 vote.

3 UNIDENTIFIED SPEAKER: Excuse me.

4 CHAIRPERSON BANIS: I'm sorry. I've got to
5 close the comment. And we want to move on to your
6 presentations next. So we have a motion on the floor.
7 I'm going to call for the vote. For those in favor of
8 the motion, please raise your hand. All in favor? One,
9 two you three, four, five. Those opposed, one, two,
10 three, four.

11 (A vote was taken.)

12 CHAIRPERSON BANIS: The motion only carries by
13 one. The motion is carried. Do we have a motion
14 relative to Little Rock?

15 MEMBER SHTEIR: Mr. Chairman, I'd like to just
16 raise another issue related to Little Rock. From what
17 you presented, I'm supportive in principle of the
18 concept that you've described and the creation of the
19 official off-road-vehicle area there. But I think that,
20 you know, CEQA and NEPA documents, you know, that type
21 of -- the purpose of those laws is to provide full
22 disclosure for informed decision making, and I think
23 absent those documents I'm really hesitant to make a
24 recommendation.

25 CHAIRPERSON BANIS: Further comments? Don?

1 MEMBER HOUSTON: I'd like to make a motion.
2 I'd like to move that the East Kern Acquisition be
3 considered at the next meeting of the Desert Advisory
4 Council in March for the purpose of supporting the BLM
5 in their development of a memorandum of understanding
6 between State Parks and the Bureau of Land Management.

7 CHAIRPERSON BANIS: I'm writing that down.
8 Just a minute, please.

9 MEMBER MUTH: I would second that motion.

10 CHAIRPERSON BANIS: Moved by Don, seconded by
11 Al. Comment? Sounds like he has hit the string that
12 we're all hearing. All those in favor, raise your hand.
13 Opposed?

14 (A vote was taken.)

15 CHAIRPERSON BANIS: There we go. That's a good
16 motion. That's a motion with the support of everybody.
17 Thank you. I'm not hearing a motion on Little Rock.

18 MEMBER SHTEIR: Mr. Chair?

19 CHAIRPERSON BANIS: Please, Seth.

20 MEMBER SHTEIR: I will just add one more thing
21 for clarification. You know, it seems that there would
22 likely be very little potential impacts from Little Rock
23 becoming an official off-road-vehicle area, but again I
24 would really want to know about whether impacts have
25 been analyzed: socioeconomic impacts, environmental

1 impacts, any potential impacts on adjacent lands,
2 et cetera, et cetera.

3 CHAIRPERSON BANIS: Absolutely. Very good.
4 I'll call discussion on these items over. And if
5 there's no further objections, we'll move on in the
6 agenda to our focus topic briefing on range improvement.

7 We've asked two members of the public who have
8 lifelong knowledge on these subjects as professional
9 range managers to brief us on some of the issues that
10 are important to the range members of the public who are
11 managing ranges and managing livestock and their
12 relationships and issues on the BLM land.

13 So it's my pleasure to introduce and welcome
14 first Ron Kemper. We heard from him a few minutes ago.
15 Thank you for coming back up to share some words with
16 us, Ron. I do remember being on the other side now.
17 It's all coming back.

18 MR. KEMPER: Wasn't it fun?

19 CHAIRPERSON BANIS: But you were good to me, so
20 I'll reciprocate.

21 MR. KEMPER: I'll try to keep it short, and
22 then I'll open it up for any questions. I'll give you a
23 brief history. Our families and many families before us
24 that have been playing the role of stewards here in the
25 desert for well over a hundred years, some of us have

1 been here since before statehood, to give you a little
2 bit of an idea. Now, I can tell you that when I was a
3 young man here in the California desert, we had 50
4 families. Now we have about seven. I guess we're dying
5 the same cut as a tortoise, you know, the death of a
6 thousand cuts.

7 We've enjoyed sharing the desert with our
8 neighbors, but our neighbors get to be more and more and
9 more, and the uses and all the things that go along with
10 it as well as the regulations have made it very
11 difficult for most of the ranching families to stay in
12 business.

13 The economics for the ranges is simply about
14 animal units. For the BLM it's about how many of us and
15 how many animal units we pay for. We used to raise
16 annually about 50,000 head here in the Mojave. Today
17 we're raising probably around 3,000. It's not because
18 the Mojave won't support 50,000. It will support 50,000
19 easily.

20 The Mojave is actually a cattleman's paradise.
21 You know, right now our neighbors in Montana and Wyoming
22 are trying to figure out how to keep their cattle from
23 freezing to death. They're trying to keep from figuring
24 out how to feed them in four-foot snow. We don't have
25 those issues here in the Mojave. The Mojave has always

1 been very, very good and very productive for producing
2 livestock.

3 Most of the issues that we have today are the
4 same issues the tortoise faces. It's just more and more
5 and more use and demand on the desert. I think very few
6 people are malicious about their acts, but you know, we
7 see more and more cases of people hitting cattle on
8 rural roads. We see our water is tampered with. And I
9 don't think in most cases that it's done intentionally.
10 It's just people tinkering. But the more people you
11 have, the more tinkering you have, and you know, these
12 are big ranches, and they take a lot of time to manage.

13 With that I'll open up any questions that you
14 guys might have.

15 CHAIRPERSON BANIS: Who wants to start? April
16 and then Don and then Seth.

17 MEMBER SALL: Hello. Thanks for coming. First
18 question was just, how much vandalism, or tinkering, as
19 you call it, are you regularly experiencing say in the
20 last year or two years, some sort of timeframe?

21 MR. KEMPER: It is more and more as time goes
22 on. You know, we used to -- you know, 20 years ago we
23 didn't see a windmill shot. You know, today there are
24 people who love to hear those bullets tink off those
25 blades. I doubt if they know that they're really

1 destroying our property. They're not thinking.

2 But you know, it's different whatever
3 environment that you grow up in. You know, I go to
4 parts of Idaho and Montana and Utah and stuff, and
5 everybody knows to close the gate. Everybody knows that
6 windmill was there for a purpose because they're brought
7 up in that agricultural community. But when you're
8 squarely in the middle between the people in the city of
9 Los Angeles and the people in the city of Las Vegas that
10 don't have a clue but they have a Jeep or they have a
11 sand buggy -- and it's not just off-roaders. It's all
12 kinds of people. And like I say, it's by far the
13 minority, but when you live between two population
14 groups that are millions of people, that small
15 percentage makes our job very difficult.

16 CHAIRPERSON BANIS: Don?

17 MEMBER HOUSTON: Yeah. Thanks for coming.
18 This is a really interesting subject for me. Cattle
19 ranchers enjoy a land right through the grazing
20 allotments on Federal Lands. And I'm interested in the
21 changes in the regulatory process that affect your
22 ability to produce, that affect your costs and create,
23 you know, challenges to operate a cattle-grazing
24 operation in the Mojave. So could you just give us a
25 little history of the changes in the regulatory process.

1 MR. KEMPER: Yeah. They've been devastating.
2 Here again it's about economy scale. I don't care if
3 you're raising calves or you're making pizzas. You
4 know, you've got to raise a certain amount of calves to
5 make cost. You've got to sell a certain amount of
6 pizzas every day to pay your overhead.

7 I'll use our ranch for example, my wife and
8 mine. That ranch historically ran over 1200 head of
9 cattle. Through the regulatory process between the
10 Protection Act in the '80s and between the Wilderness
11 Acts and between everything else, we're cut down
12 currently to 202. To go from 1200 to 202, that's tough.
13 The ranch will run 1200 easily.

14 So you know, it's just not the folks that we
15 have that are tinkers. It's also the regulatory
16 process. A lot of people within the agencies have
17 really believed that it's their job to get us to
18 compromise, and they've compromised a lot of us out of
19 business.

20 MEMBER HOUSTON: And how about the fee
21 structures? Has there been a big change in that as
22 well?

23 MR. KEMPER: No, no. The fee structures have
24 been about the same, but there's been a lot of
25 discussion about it. And you know, I hear in Washington

1 a lot of people say, "Well, you know, these grazers
2 aren't paying their fair share. They ought to be paying
3 more. If they were on private land, they would be
4 paying ten or 15 or 20 dollars a head per month."

5 And that's true, and I would love to pay that
6 here. You know, one of the things is when I run on
7 private ground, I control the entire private ground. I
8 do lease private ground. And oftentimes I can pay \$15 a
9 head, and it costs me less at the end of the year
10 because nobody else is on the property but me and I'm
11 allowed a hundred percent of the graze. And they're
12 usually smaller properties and not as expensive to run.

13 But no. The fee structure -- and what most
14 people don't realize is, we not only pay a fee structure
15 to the BLM, but we also pay a possessory use tax to the
16 State, and then we also pay water-licensing fees to the
17 County, and then we also pay water licensing fees to the
18 State. So it's much more expensive than people realize.

19 MEMBER HOUSTON: Thank you.

20 MR. KEMPER: You bet.

21 CHAIRPERSON BANIS: Seth.

22 MEMBER SHTEIR: Thank you very much for coming.
23 I had a question. Can you describe how cattle
24 management differs in the summer versus winter months?

25 MR. KEMPER: In the Mojave it is not as

1 dramatic. I'll give you an idea. My daughter and
2 son-in-law in Idaho, they farm all summer to feed off a
3 sled all winter. In the Mojave we never throw a flake
4 of hay. And everybody has different management styles,
5 but usually you can manage your cattle by simply turning
6 water on and off. You can move your cattle from one
7 area to another.

8 Your cattle that are born on these ranches,
9 they know where every water source is. When I want to
10 move them from the south side to the north side of the
11 ranch, I just start turning off waters on the south side
12 and start turning on waters on the north side. Slowly
13 they work their way over. It's not as romantic as
14 seeing us all out there on horseback, but I tell people
15 all the time, you know, there's probably 11 months out
16 of the year I'm a plumber, and about a month out of the
17 year I get to cowboy a little bit.

18 MEMBER SHTEIR: Thank you very much.

19 MR. KEMPER: You bet.

20 MEMBER O'BOYLE: I have a question.

21 CHAIRPERSON BANIS: Paul, please.

22 MEMBER O'BOYLE: Thank you for coming. Real
23 quickly, you're saying the drop-off in production is
24 about 85, 88 percent, and you're saying that's strictly
25 from regulatory intervention?

1 MR. KEMPER: Mostly, yeah.

2 MEMBER O'BOYLE: Wow.

3 MR. KEMPER: Most of these ranches, the small
4 ranches ran 500 to a thousand head. Now we've got
5 ranches that are cut back from that thousand head
6 narrowing operation down to 50, 60, 80.

7 MEMBER O'BOYLE: What areas would you say could
8 be trimmed or be streamlined so they would help out the
9 ranches more?

10 MR. KEMPER: It isn't streamlined. It is, I
11 think, a different philosophy. And I'll give you an
12 example. You guys are all familiar with the desert. I
13 drove down the south of 15 on Cimo Road the other day
14 all the way down to Kelso then across Sheep Hole Pass.
15 When you go down through that country there off of Cima,
16 that was known as Valley Wells and Valley View, and then
17 eventually the O.X. I don't know if any of you have
18 been there recently.

19 First of all, it's an absolutely incredible
20 Joshua Tree forest. But right now the galleta grass is
21 hip high. That's all flash fuel. Under the right
22 circumstances, you get a lightning strike, the wind
23 blowing the right direction, because it's not grazed,
24 we'll lose that whole Joshua Tree forest for hundreds if
25 not thousands of years. That's the benefits that

1 grazing does.

2 We are harvesting absolutely a yearly renewable
3 resource, and we've been producing a very healthy
4 product for the citizens of America in some cases for
5 almost 200 years. But in this area because of the
6 demands on the desert and because of the demands on the
7 agency -- I don't want you to get me wrong. I'm not
8 blaming the BLM. When I was on this DAC, I walked the
9 halls of Congress for three years trying to get money to
10 fund the Desert Protection Act.

11 You know, in 1990 dollars, the budget for the
12 act was a hundred million dollars a year. Congress has
13 never ratified the act by funding it with one dollar.
14 That's the problem.

15 CHAIRPERSON BANIS: Let me interject for a
16 minute. The Cima Joshua Tree forest that you talk about
17 that is spectacular, and I think it's the densest I've
18 ever seen.

19 MR. KEMPER: Yes.

20 CHAIRPERSON BANIS: Am I correct that that is
21 as dense and as thick and lush as it is in part because
22 of grazing due to the spread of the Joshua Tree seeds
23 potentially?

24 MR. KEMPER: You'd have to ask a biologist.
25 I'm just a poor, dumb country boy rancher. But what I

1 can tell you is that that forest is there after 200
2 years of grazing.

3 CHAIRPERSON BANIS: Exactly.

4 MR. KEMPER: Thank you. Any other questions?

5 MEMBER SHUMWAY: I just have one question, just
6 a short one.

7 CHAIRPERSON BANIS: Dinah and then Al.

8 MEMBER SHUMWAY: So when you talk about your
9 going from 1200 head to 200 head or so, is this because
10 of constriction of available grazing areas primarily?

11 MR. KEMPER: No. Same area.

12 MEMBER SHUMWAY: Same area. Is it regulations
13 that prevent you from running more cattle on certain
14 grazing areas?

15 MR. KEMPER: You know, the agency, the BLM has
16 been sued over and over and over again by different
17 Friends of the Tortoise and friends of this and friends
18 of that, and they've wanted to see a stop to off-road
19 use. They wanted to see a stop to grazing. I can
20 remember sitting in federal court and hearing over and
21 over again the best thing that we could ever do is get
22 rid of grazing, over and over again. So we work under
23 an allotment management plan that's supposed to be
24 reissued every ten years.

25 And like I said, every area manager that I have

1 had in my history, I've never had one come out and say,
2 "Hey, Ron, let's see how we can increase your numbers."
3 They really feel like it's their job to mitigate
4 potential losses by getting us to cut back, and
5 eventually they require us to cut back.

6 MEMBER SHUMWAY: So it's a matter of density
7 per acre that you're talking about?

8 MR. KEMPER: To give you an idea, right now I
9 run about one cow for every 3,000 acres.

10 MEMBER SHUMWAY: Thank you.

11 CHAIRPERSON BANIS: Al.

12 MEMBER MUTH: So I gather, in following up with
13 Dinah, that the regulation that you object to the most
14 is the stocking rate on the allotment; is that correct?

15 MR. KEMPER: I would say it's one of the larger
16 contributors.

17 MEMBER MUTH: And would it be your position
18 then that allotment holder, the rancher, should set the
19 stocking rate?

20 MR. KEMPER: I think that's very difficult to
21 do with Public Lands. However what I can share with you
22 is that on the private lands that we run and many other
23 ranchers run -- and there's probably people here who can
24 verify it that are hunters or outdoorsmen -- we usually
25 find that our wildlife is in better shape on those

1 private parcels. Now, is it because we graze heavier?
2 I don't know. But I think those lands are controlled
3 more.

4 You know, the BLM has a very difficult, very
5 difficult thing to do here. It's multiple use. And
6 just as all of those multiple uses impact indicator
7 species like the rancher and the tortoise and the Mohave
8 ground squirrel, it's a very difficult problem. But as
9 far as the economic viability of ranches, I hear people
10 in the BLM say, "Well, gosh. It costs so much to keep
11 you guys out there." Well, you know, we used to be the
12 biggest contributor in the desert until you cut us back.

13 MEMBER MUTH: This isn't the forum to debate
14 grazing. I would take some issues with your positions.

15 MR. KEMPER: I would love to meet with you
16 personally.

17 MEMBER MUTH: Are you sure?

18 MR. KEMPER: Absolutely.

19 MEMBER MUTH: Okay. The follow-up there is,
20 looking beyond the Bureau and their policies, in the
21 long run there's this thing, No. 4 on the board over
22 there, called climate change. And the projections for
23 the Mojave are more erratic rainfall, higher
24 temperatures, continuing draught situation. Are you
25 looking to the future with an eye on that putting you

1 guys out of business no matter what the Bureau does?

2 MR. KEMPER: Well, first of all let me say I
3 believe there's been global warming starting and growing
4 ever since the last Ice Age. You know, is it going to
5 happen in the next five years or the next 40 years, the
6 next 50 years? I think there's a lot of debate about
7 that or even 200 years or a thousand years. But we have
8 to manage what we have on the land. And if you'll do me
9 the courtesy of going out and looking at the country
10 that I just talked about, that country today has more
11 renewable foliage on it than 10,000 cows could eat in a
12 season.

13 MEMBER MUTH: Can you tell me what grazed that
14 for the cows? Is that not a natural condition, or were
15 there heavy grazers out there prior to cows? Unless you
16 want to go back to the Pleistocene, I don't know. Do
17 you?

18 MR. KEMPER: I don't know that I'm looking to
19 stop time or to stop a natural progression of biological
20 growth or the harvesting of that. I know that there are
21 people out there that would like to take a particular
22 point in time and say this is where we want to preserve
23 it. But isn't that a little bit Godlike?

24 MEMBER MUTH: Isn't grazing it down to preserve
25 that point in time the same?

1 MR. KEMPER: I think grazing is a very natural
2 way to remove flash fuels, and those flash fuels come
3 back year after year after year, and they're regrazed,
4 and they're regrazed. Isn't it a lot like the sunlight
5 making solar energy?

6 MEMBER MUTH: There's some problems with that
7 too.

8 MR. KEMPER: I suspected you would say that.

9 MEMBER MUTH: I don't want to take up more
10 time. But thanks, Ron.

11 MR. KEMPER: I look forward to talking to you
12 sometime.

13 CHAIRPERSON BANIS: I enjoyed that exchange
14 very much. That you, gentlemen. That was really good.

15 Do you have a comment or question, Kim.

16 MEMBER CAMPELL-ERB: Yes, I do. I have one
17 more question. Ron?

18 CHAIRPERSON BANIS: Ron, can you come up.

19 MR. KEMPER: I'm sorry. You've got to talk
20 loud.

21 CHAIRPERSON BANIS: And then we are going to
22 save a few questions for Billy too, so we're going to
23 have Billy next.

24 MEMBER CAMPBELL-ERB: I have an entirely
25 different question. My question is, what uses are the

1 cattle put to that you graze on public land? I'd like
2 to know the many uses.

3 MR. KEMPER: I'm happy to tell you that I'm one
4 of the few guys out there partly because we have been
5 cut back on the amount of units that we've had to look
6 at other ways to grow our herds where they're not on
7 public land. So I am proud to say that I am in the
8 recreational cow business. I have happy cows. Now let
9 me explain that a little bit.

10 MEMBER CAMPELL-ERB: Are those the ones I see
11 on the commercials?

12 MR. KEMPER: Well said. Well said. The end
13 product is still a product consumed by humans. But in
14 the interim we raise a cow that's smaller than normal
15 and has larger horns than normal, and they go out for
16 such uses as equestrian cutting, team pinning, roping,
17 bulldogging and other events that involve cattle and
18 horses. And they go out on rent for a couple of years,
19 and then they come back when they're too big and too
20 heavy, and then eventually they go on to the meat
21 market.

22 MEMBER CAMPELL-ERB: I honestly would like to
23 know what products, what various -- I don't want a
24 complete exhaustive list, but I see that we have
25 dwindling ranching in our country, and I think there are

1 probably a lot of uses that those cattle are put to that
2 we take for granted that we're losing or that are going
3 to have to come from some other part of the world if we
4 don't have enough ranching in this country.

5 And I think that that plays into the whole
6 balance. There's got to be a balance. Just like
7 rockhounds, we have limited places where we can collect,
8 and we have to share what we have left. We need to come
9 up with a way for all of us to share what we have left
10 in a responsible way with the native species, native
11 plants. And I guess my point is, I want you to remind
12 everybody what we get from cattle. That's really my
13 question. Thank you.

14 MR. KEMPER: Well, I'll answer your question a
15 little bit broader if I can. And that is you either
16 grow it, you raise it or you mine it.

17 MEMBER SHUMWAY: Well said.

18 MR. KEMPER: Everything in this room,
19 everything that you touch, everything that's in your
20 refrigerator is either raised, grown or mined. And
21 that's really the basics. That's the core. You know, I
22 talked to a young lady the other day, and I told her
23 what I did, and she said, "My God. Why don't you just
24 go to the store and buy your meat there where some
25 animal isn't getting hurt?"

1 And I said, "Are you serious?"

2 And she goes, "Absolutely," you know. So
3 there's a little bit of disconnect out there in the
4 world today. But I really believe that if people will
5 keep in mind, whether it's your computer, you know, your
6 screen is probably lighting up because there's Molycorp
7 out there. You know, there's things that we do every
8 day. No matter what we do, they go back to the basics,
9 and that's you raise it, you grow it or you mine it.

10 MEMBER CAMPELL-ERB: But I think --

11 MR. KEMPER: Any other questions?

12 MEMBER SHUMWAY: Wait a minute. So Ron, would
13 you just like my PowerPoint, and you can continue?

14 MR. KEMPER: I'm sorry?

15 DIRECTOR RAML: She's going to do mining.

16 MR. KEMPER: I'd be happy to help you.

17 MEMBER CAMPELL-ERB: I think my point was that
18 there's more than meat that we get from cattle.

19 MR. KEMPER: Oh, absolutely, absolutely, yep.
20 Thank you.

21 CHAIRPERSON BANIS: Thank you. We'll hear from
22 Billy, and then if there's a couple more questions that
23 Ron can help with, I'm sure we can call him back.

24 I wanted to introduce the family head of the
25 Rattlesnake Ranch in Lucerne Valley area,

1 Johnson Valley, and that's Billy Mitchell. So nice to
2 have you, Billy. Excuse me one minute.

3 (Chairperson Banis donned a cowboy hat.)

4 MR. MITCHELL: Now you're on it. I need to
5 shape that hat a little bit for you so you'll know the
6 difference walking down the street.

7 CHAIRPERSON BANIS: You can tell this hasn't
8 been outside yet.

9 MR. MITCHELL: Don't have bull-riding creases
10 in it yet.

11 CHAIRPERSON BANIS: I don't.

12 MR. MITCHELL: My name is Billy Mitchell. I'm
13 a fourth-generation cattle rancher in the Mojave Desert
14 out of seven, mind you. Ron told most of the stuff
15 today. The issues I bring -- you know, I raise cattle
16 in the Canyon Ranch, out of Johnson Valley. We run
17 between Yucca Valley and Apple Valley, the back side of
18 Big Bear.

19 We're having a terrible OHV problem. We have
20 probably two roads that go through one corridor, a
21 60-foot corridor. And last year I had two cattle
22 killed. This year I had one steer hit with a motorcycle
23 and one other animal injured from OHV use.

24 The thing that -- you sit there and try to talk
25 to these people. I've got signs up, "Don't hurt

1 domestic livestock." I've got a salting area on a road
2 that says, "Please do not stop, stand or visit here."
3 So they'll stop, 50 of them at one time, which there was
4 Saturday. They throw their beer cans in my salt
5 feeders, you know.

6 And I want these people to -- I don't really
7 know how to do this, but I don't have any cattle in an
8 OHV area whatsoever. And I think it's time that people
9 ought to think about getting the OHV out of Billy's
10 area. That ranch has been there since 1900. I've owned
11 it for 20 years. Twenty years ago I might have three
12 people on a three-day weekend. Now, when you have 50
13 people on a one-lane road, four miles, and my cattle
14 will have to transverse that through the spring, and
15 these people pay no attention to my kids out riding
16 horseback.

17 And believe me, my kids have motorcycles, but
18 they ride responsible. And if they don't, they've got
19 to answer to me, and that's not very nice. The bike
20 gets put up for all time. But people don't pay any
21 attention anymore. They don't even know that we exist
22 half the time.

23 I don't know how to resolve this. Katrina is
24 going to try to work with me. You've got the Hammers
25 out there. You've got Means motorcycles. The three

1 major areas that sit -- Dry Lake and Means sit right
2 across 247 from me. And because there's one corridor
3 they're allowed to use, they do 90 miles an hour up
4 through that corridor. And if you've been up through
5 there, you've got willows ten, 15 feet high, you've got
6 cattle laying underneath in the shade, you've got cattle
7 walking out from the sides. You can't do 90 miles. It
8 would be like me in Riverside on both sides of the road,
9 and they're going to hit them.

10 I personally have lost over 40 head in the last
11 two years, I can't sustain that for long. I maintain
12 four miles of dirt road. I shelter a lot of cattle
13 there, and all these people are allowed to use that.
14 They won't slow down to 15 miles an hour like a sign
15 says. They won't do anything. They come across, ride
16 illegally on places closed through the county, on which
17 the sheriff department is going to try to work on me
18 with that with signs and stuff.

19 But the BLM needs to put law enforcement out
20 there on the ground, and it doesn't need to be during
21 the week on a Wednesday. It needs to be on Thanksgiving
22 and when these big weekends are, and I'm sure Katrina is
23 going to work with me on it.

24 That's the issue that my family and I have.
25 And I have nothing against the OHV people if they stay

1 in their area. I have two very good friends out of
2 District 37 that's ruined all their life, and they came
3 and spent one weekend with me and could not believe what
4 the people were doing. I mean, it's just totally
5 unbelievable, you know, when they get off in their
6 vehicle and come through that ranch of mine, you know.

7 And my cattle, they don't know what's going on.
8 You know, it's pretty bad when a guy takes a hundred
9 head of cow by himself driving pretty much where he
10 wants to, pins them up, work them, loads them. And now
11 I can't even start a damn chain saw that they don't go
12 through a fence just because it sounds like a
13 motorcycle. You know, I've got to sit there and watch
14 the bikes go and run my cattle up the side of a hill.
15 That's my private property. I've worked all my life for
16 this. It comes to the point where I get pretty upset
17 about it, you know.

18 What can I -- do you know can you help me with
19 it? I mean, how can you people get the message out?
20 Who is the OHV person here? Is there an OHV person
21 here?

22 CHAIRPERSON BANIS: Myself, Kim.

23 MR. MITCHELL: This has got to be said. I
24 don't know how many other ranchers have this problem,
25 but I have a serious problem, you know, a very serious

1 problem. Like I say, this ranch predates OHV. This
2 goes back to 1900, runs all the way from Old Woman
3 Springs, clean up over on Onyx Summit and all the way
4 down to Santa Ana Canyon. The first forest ranger built
5 this ranch in San Bernardino County. They ran a
6 thousand head of cattle in 1900 to 1940. Run a hundred
7 head now on this ranch. So you can see, like Ron was
8 talking, how the regulations have cut us down. That's
9 the basic thing that I really had to say.

10 So if there's any questions.

11 CHAIRPERSON BANIS: Steve, could you do me a
12 favor, and could we hit the light again. I'd like to
13 show them where your place is, unless it's a big secret.

14 MR. MITCHELL: Not anymore.

15 CHAIRPERSON BANIS: It is not. I want to show
16 them so they can see, because this is a real important
17 dilemma here; this really is. I remember a few years
18 ago. You did your very best to let OHV know about this
19 problem a few years ago --

20 MR. MITCHELL: Yeah.

21 CHAIRPERSON BANIS: -- when it was really bad
22 then. Things cooled down for a little bit, but it was
23 really short lived.

24 MR. MITCHELL: Right.

25 CHAIRPERSON BANIS: And now it seems to be back

1 to normal again, back to the way it was before, so
2 there's been no lasting change in any of that. It was a
3 very short-lived, if any, relief.

4 What we're looking at, what this is here, it's
5 just to see -- I'm going to zoom this out a little bit.
6 This is a map. Pardon me, Billy. Johnson Valley OHV
7 area is across this Highway 247, the world's largest or
8 biggest OHV area in the universe right across the way.
9 This is the road in not only into Billy's place, but
10 this road keeps on going onto Forest Service property
11 into a Wilderness, into a Wilderness corridor designated
12 by Congress that goes all the way up to the top of
13 Burns Canyon in the San Bernardino National Forest.

14 MR. MITCHELL: Right.

15 CHAIRPERSON BANIS: Then from Burns Canyon you
16 get down into Yucca Valley, you go up into Big Bear.
17 The point I'm trying to make is that the connectivity to
18 different areas that's been provided by this corridor,
19 you know, is very significant. And if OHV were to lose
20 this opportunity because of its irresponsibility and its
21 bad behavior, I've got to say it might be just rewards,
22 but it would be a disservice in general to the
23 recreating public.

24 But it still has to be resolved, and I think
25 this is a very important and very serious issue to

1 address with some heavy hitting and some dollar signs.
2 And I would be really grateful to be a part of an effort
3 to work with Billy and his family and OHV to give one
4 last shot and one effort to see if we can work something
5 out so that he doesn't have to do what he doesn't want
6 to do, which is take the steps to ask that this thing be
7 closed to the public.

8 MR. MITCHELL: That's what I'm doing now.

9 CHAIRPERSON BANIS: He's up against the wall
10 here.

11 MR. MITCHELL: You have to realize that in
12 1962 -- the desert is what it is. I worked on most of
13 those cattle ranches since I was a kid. Now the people
14 in Barstow at that point -- and we're a founding family
15 out of Barstow. You work in the gas station. They roll
16 the window down, an air-conditioner like this, want to
17 know what the hell you're doing here. Now we have
18 motorhomes and everything else. Everybody loves the
19 desert. The desert is only this big (indicating). And
20 each year these kids have kids and grandkids, and
21 everybody gets a motorcycle for Christmas, and Billy's
22 ranch is only this big.

23 So now they're trying to fit a million and a
24 half people in this area, and with technology now, where
25 they didn't know 15 years ago where that canyon was, and

1 now everybody knows. It's in magazines and this and
2 that.

3 And what I think should happen is the BLM, they
4 have sometimes on the radio about these different areas
5 and stuff. But even in their signing on the stuff, you
6 put out open roads, only BLM open roads. They say
7 nothing about the cattle rancher, you know? And we're
8 the ones that created this. We were the people that BLM
9 had to work with, and now we're a few six families that
10 sit in this Mojave Desert. Nobody wants to do nothing,
11 you know?

12 CHAIRPERSON BANIS: And you maintain the road.

13 MR. MITCHELL: I maintain the road, yes.

14 CHAIRPERSON BANIS: He maintains the road.

15 Okay. Let me ask -- some more some folks have more
16 questions too. I'm going to go to April and then Ron.
17 April is one of your neighbors on the other side of the
18 hill.

19 MEMBER SALL: Hi there. I guess first a
20 comment and then a question. You know, I think it's an
21 important issue, and it's really easy for users to, you
22 know, blame the BLM or in this case blame the rancher.
23 But it's really about, you know, responsible riding.
24 And I think that the recreation community -- in this
25 case it's mostly green-sticker bikes and street-legal

1 Enduro bikes -- need to play a role in continuing the
2 education of responsible riding in this area because
3 again there is a lot of burden that, you know, you have
4 taken on of this issue.

5 And my question is, in your opinion --
6 obviously I'm sure you weren't there during the events.
7 But do you think the impacts that have occurred with the
8 cattle deaths have been accidents, or do you think
9 they've been intentional? What is your guess?

10 MR. MITCHELL: I know two of them happened when
11 the Hammers, the week of the Hammers was on. There was
12 one vehicle. I don't know whether it's intentional or
13 not, but the one transversed that probably six miles of
14 that dirt road in less than two minutes. My wife was
15 coming in. I have no -- the house sits up on that green
16 deal that goes right there. I sit on the base of the
17 mountain. I have no neighbors whatsoever, and I watch
18 that whole road, and I called her because they were
19 coming home. At the time that I called her, that guy
20 was already at the pavement four miles. That's how fast
21 he was going.

22 MEMBER SALL: Right.

23 MR. MITCHELL: And I don't think they
24 intentionally go out there to hit the cow, but the
25 bottom line is, it would be like me doing 90 miles an

1 hour down this freeway and a pedestrian walks out, and
2 there's all kinds of signs, hey, there's a pedestrian.
3 Well, do you think it would be my fault for doing that,
4 you know?

5 MEMBER SALL: Sure.

6 MR. MITCHELL: If there were no signs up, so be
7 it. But there's signs everywhere. You know, there's
8 cattle guards. You hit a cattle guard, it'll ring a
9 bell. There's something inside it. There's something
10 walking on the ground.

11 MEMBER SALL: And so I mean, it seems like it
12 would be crazy to try and hit a cow on a dirt bike. I
13 certainly wouldn't recommend that. But is it your
14 opinion that they are just completely unaware and that
15 signage would be the answer, or have you witnessed dirt
16 bikes ever chasing your cattle or harassing them on
17 bikes?

18 MR. MITCHELL: I've watched it. I've tied
19 cattle down on the top part of that ranch, and before I
20 could get back to my vehicle, there was motorcycle
21 tracks around it while it was tied down. I don't think
22 that was just him driving around in circles. I've
23 witnessed a lot of that, yes, ma'am.

24 MEMBER SALL: Okay. All right. And then last
25 question. I meant to ask this to Ron as well. But what

1 has been your practices with, you know, increased
2 regulations and just change of time in spring management
3 on these allotments?

4 MR. MITCHELL: Say it again now.

5 MEMBER SALL: What has been your management
6 practices for natural springs and water sources?

7 MR. MITCHELL: Management? I have to dig them
8 out. I own every piece of water on Rattlesnake Canyon.
9 I have to maintain the riparian area, the fences.
10 There's also a problem right there because everybody
11 wants to go up by the water trough and picnic because
12 there's big willows in the summertime. And there's sign
13 up, there, do not disturb cow. BLM signs, you've got to
14 be 600 feet away.

15 I've signed everything, tried to put up more
16 signs. You know, when I get into it with the people,
17 they'll go down to the beginning of the ranch toward
18 Johnson Valley and tear out about 25 posts so the cattle
19 get out from the highway. I had 50 posts stole out of
20 my west boundary that we just had to get fixed.

21 MEMBER SALL: And so are the signs up right
22 now, or are they down?

23 MR. MITCHELL: Yes, ma'am. They've been up for
24 the last ten years.

25 CHAIRPERSON BANIS: Ron?

1 MEMBER JOHNSTON: Billy, thanks very much for
2 coming today. This is the first time in the six years I
3 have been on this council, and unfortunately now the
4 last time, that I have heard anything from a rancher
5 concerning some of the abuses that go on that cost you
6 and your family your livelihood and impinge upon your
7 rights. All the other voices are shrill and very loud
8 about their rights to do other things, but the rancher
9 who lives that that's dependent upon this land rarely
10 has had the opportunity to speak up the way you have
11 today.

12 I say that with a lot of personal feeling. My
13 family were ranchers in Orange County when there were
14 really orange trees, lemon trees, horses, cattle,
15 chickens, pigs, and we had some of the same experiences
16 you're having not from off-road-vehicle people but from
17 other people that wanted to make use of the land, tease
18 the horses --

19 MR. MITCHELL: Sure.

20 MEMBER JOHNSTON: -- harm the animals just for
21 fun, take their guns out and try to shoot a horse or a
22 pig or a rabbit. And it drove my family out of the
23 ranching business in Orange County. And now what
24 ranches are left there? None. So I really empathize
25 with what you're going through, and I have a home in

1 Joshua Tree just the other side of the mountain from
2 where you are.

3 MR. MITCHELL: I know where that's at.

4 MEMBER JOHNSTON: I know if it were me
5 personally -- I could only speak for me personally, not
6 for the DAC or anybody else -- I'd close the property
7 off, you bet.

8 MR. MITCHELL: You know what? I've been
9 debating this for the last four or five years, and after
10 this year, I mean, I have got -- I'm talking to Cook's
11 office. I met with Feinstein's office. And it's just
12 like I said, I don't have any cattle in the OHV area to
13 bother them, and I'm getting tired of them bothering me
14 because it doesn't seem like talking is doing any good.
15 It doesn't seem like the signs are doing good anymore.

16 I'm hoping maybe they can get the police out
17 there and maybe they can do something, you know. If you
18 set up a sting deal and you're there two or three major
19 weekends, it starts costing them money out of their
20 pocket, maybe they'll go in the OHV area. That's what
21 it was set aside for. Otherwise we have cattle over
22 there grazing. We have no problem with them going and
23 tearing them up. They can kill themselves over there.
24 They do. They've lost seven or eight people over there.
25 But they don't need to come on my side and destroy my

1 stuff.

2 CHAIRPERSON BANIS: I have a question for you,
3 Billy, if it's okay, Ron.

4 MEMBER JOHNSTON: I'm through.

5 CHAIRPERSON BANIS: Do you know that the
6 Marines are proposing an expansion of the Johnson Valley
7 OHV -- of the Marine Base into the Johnson Valley OHV
8 area?

9 MR. MITCHELL: Yes.

10 CHAIRPERSON BANIS: Do you think that will hurt
11 or help your situation?

12 MR. MITCHELL: It will hurt me. All those
13 people will come to my side. Don't get me wrong. My
14 son-in-law is Afghanistan. My grandson, special forces.
15 I've worked out at Fort Irwin and all that training
16 stuff they have done for these guys. I've heard those
17 guys telling me they saved their life. I know we need.
18 That but as far as -- I'm not against that, but I know
19 if something happens or if they take something away from
20 the OHV people, it's bound to send them to me. It's the
21 only thing that's left there.

22 And we have only so much land to plan on. And
23 right now I know a lot of you are not my age, but we've
24 maxed that out. You're not going to be able to fit any
25 more people in this area. That's the problem. I don't

1 know how we're going to solve it. I really don't.

2 CHAIRPERSON BANIS: Another an area we just
3 talked about earlier, the Jawbone area, is an active
4 grazing allotment. I believe there's about 500 head.
5 Ed, am I right on that, do you think? Ed, is there
6 about 500 head in Jawbone?

7 MR. WALDHEIM: We had 600. Hesselfield
8 (phonetic spelling) bought about 600 of them, but
9 because of draught and water, they've been removed now.

10 CHAIRPERSON BANIS: Ed said there were about
11 600 but the draught has caused a temporary removal from
12 that area, but there seems to be a little -- there seems
13 to be better harmony among the animals and the users
14 there due to -- I'm going to go out a limb. I don't
15 think it's a big limb, but I'm going to go on a limb and
16 say it's due to the management activities that Friends
17 of Jawbone, BLM and -- have worked together to put on
18 the ground there. There's been a lot of management put
19 on the ground, a lot of money put on the ground, and
20 there may be lessons there that we can help with.

21 And I'd like to introduce you, Billy, to Ed
22 Waldheim and vice versa and see if all of us can't be
23 given one more chance to fix this thing up.

24 MR. WALDHEIM: Mr. Chair.

25 CHAIRPERSON BANIS: I'm sorry. I am going to

1 recognize this because Ed really has spoken for OHV and
2 done a good job in trying to do this. Ed, take a minute
3 and explain.

4 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone.
5 We work with Hasselfield and the Bureau of Land
6 Management, put in more cattle crossing, more stepovers,
7 more fences to make sure we have the cattle protected
8 from the OHV area users. So I would suggest that
9 perhaps if the DAC would support me on this one and
10 support Katrina, the field manager of these Barstow
11 Field Offices, that because this is Barstow Field Office
12 that perhaps we put in for a grant. We have an
13 opportunity to put an RTP grant. Applications for RTP
14 grants are due on January 6. We can make it very quick
15 to go. And if this is something you feel would help
16 you, fence the bloody thing. Just fence on both sides.

17 MR. MITCHELL: No. BLM has got the Wilderness
18 out there now. What that does is, my cattle got to
19 traverse both sides of that Wilderness, come into that
20 canyon for water.

21 MR. WALDHEIM: You would have cattle openings
22 but not for OHV but cattle. The cattle move.

23 MR. MITCHELL: We got that, and motorcycles go
24 through it.

25 MS. SYMONS: Solution finding.

1 CHAIRPERSON BANIS: This conversation just
2 started right now. We need this conversation. Exactly
3 what Billy is saying, he's got special circumstances. I
4 think we can come up with a hybrid idea. Katrina, could
5 I you give a chance to say something for a minute.

6 MS. SYMONS: The biggest thing is, I'm glad
7 you're saying something because this is a larger fix
8 than just BLM or you and I working alone. It's that
9 larger fix. So this is a start of a dialogue. I
10 believe we should be taking this dialogue and getting
11 that larger discussion going as a community. And I'm
12 committed to it. I'm dealing with Dave Cole and King of
13 the Hammers in order to deal with the extra 30,000 that
14 will be in the area come end of January and February.

15 MR. MITCHELL: Exactly. Thirty thousand people
16 in just that little bitty area there, and they don't
17 stay in their area. They're everywhere.

18 CHAIRPERSON BANIS: Don?

19 MEMBER HOUSTON: Yeah, Billy, I'd like to
20 better understand the consequences of these accidents on
21 your business and on you personally. And frankly I want
22 you to paint the ugliest picture possible in your
23 response. So, you know, when a motorcycle strikes a
24 several-hundred-pound cow, the bike is damaged, there's
25 a possible injury.

1 MR. MITCHELL: They life flighted the last guy
2 out.

3 MEMBER HOUSTON: There's insurance companies,
4 lawyers, and there's costs. So are you able to seek any
5 financial remedies when these things happen?

6 MR. MITCHELL: No.

7 MEMBER HOUSTON: And do people come after you
8 legally?

9 MR. MITCHELL: No, no.

10 MEMBER HOUSTON: So it's just a dead cow in the
11 road?

12 MR. MITCHELL: Yeah. Then you got to go out
13 and identify it if somebody hasn't drug it off. So by
14 the time I find out I've got a carcass to deal with,
15 then if it was mine, a lot of times you get some
16 animal -- just the other day dropped off five miles of
17 the ranch in Lucerne. They called, and it was somebody
18 who didn't want to feed it anymore. So I mean, it's
19 really a hard thing to go through, you know. You lose
20 roughly that particular animal. The one that I saved is
21 registered out of the PBR, Professional Bucking Bulls.
22 She was a registered cow out of that, so I spent six
23 months trying to field that out, which I did. The other
24 one, she was probably about an \$800 loss, that one
25 there. Plus you got the projection of the life of the

1 cow, up to 18 years, so you lost that cow. It amortizes
2 out, you know. Not destroying the other animals that
3 are affected by it by the noise that they start
4 scattering, you know, when they hear a vehicle come.

5 MEMBER HOUSTON: So that hurts production
6 long-term.

7 MR. MITCHELL: Definitely. Anytime you've got
8 to run a cow, you run off their weight. We just don't
9 go out there and run cattle anywhere. You spend a lot,
10 get them what they call culture an animal. You get them
11 to work with you so you don't ruin your horses, hurt
12 your cowboys or cowgirls in my instance or me.

13 MEMBER HOUSTON: Thanks, Billy.

14 CHAIRPERSON BANIS: We're running just a little
15 behind, not bad, not bad just a tad behind. We're
16 getting good. Kim and Dinah. But we're doing good.
17 Thanks for bearing with us, Billy.

18 MEMBER CAMPELL-ERB: First I want to thank you
19 for coming. I don't know what I can do to help you. My
20 background is not in motorcycles or racing. It's as a
21 rockhound. But I do have some affiliation with some
22 groups like CORVA, and there's got to be something we
23 can do to help you. And I don't want to let this die.
24 I'd really like to follow up on this at a later meeting
25 so we know what's going on with you. So give us an

1 opportunity to help you and see what we could do.

2 MR. MITCHELL: All right.

3 MEMBER CAMPELL-ERB: I know there's people here
4 today with CORVA, and I'd like to talk to you after
5 you're done at the break, please.

6 MR. MITCHELL: Okay.

7 CHAIRPERSON BANIS: Dinah.

8 MEMBER SHUMWAY: I have just a little bit of a
9 comment, please. And I would just like to remind the
10 DAC especially that in our recent WEMO Transportation
11 Subgroup Report one of our recommendations that came up
12 continually in addressing the issues that we identified
13 as problems was to adopt as nearly as possible the
14 Jawbone strategies for controlling OHV and allowing a
15 variety of activities to take place on these lands. So
16 I highly recommend that Billy work with Katrina and Ed
17 to see what they can do to implement strategies that
18 have been proven to work in cases like this.

19 And we have recognized that in these areas,
20 especially in these areas that have a very small
21 interface with a lot of people next to these rural
22 areas, that these kinds of issues happen partly because
23 of that at certain times of the year. But there are
24 strategies that do work, and a lot of them require a lot
25 of vigilance. And I think that's what we have to do,

1 what the BLM needs to do. And the public and the
2 volunteers and the OHV associations need to step up
3 their vigilance in these cases.

4 CHAIRPERSON BANIS: I'd like to move into the
5 public comment on this issue if I could. Billy, thank
6 you very much.

7 MR. MITCHELL: Thank you.

8 CHAIRPERSON BANIS: Do you have another minute
9 just in case there's a question, and we'll be moving on
10 to the next agenda item. Thank you, Billy.

11 MR. MITCHELL: You bet.

12 CHAIRPERSON BANIS: I have potentially four
13 speakers with cards on this issue. I'm going to call
14 Gerry Hillier followed by Marie.

15 MR. HILLIER: Thank you again, Mr. Chairman.
16 Gerry Hillier. I'm here with two hats on,
17 San Bernardino County consultant and also with
18 QuadState. And for those of you who admire old
19 technology, I still have a Blackberry instead of an
20 iPhone.

21 But I would like to share with you folks a
22 photograph that I took in Washington, Billy and
23 Ron Kemper and -- help me with the other name --
24 Jay Moon went to Washington a couple of years ago and
25 met with Senator Feinstein and Congressman Lewis when he

1 was still in Congress and were able to secure a special
2 provision the Appropriations Act to prevent buyouts of
3 cattle ranches. It wasn't because these guys wanted to
4 get out of the ranching business, quite the contrary.
5 But the County and others supported this on a very, very
6 limited scope as a means of reducing the pressure
7 requiring private lands in the lands in the counties,
8 that they could mitigate the renewable energy projects
9 by at least making this available.

10 And to my knowledge there have been a couple
11 over in Inyo County and Kern County that have taken
12 advantage of this, but these fellows have chosen to stay
13 in the ranching business and are pillars. And I want to
14 compliment them. I will pass this around. All you have
15 to do is click on the button there, and you can see them
16 there meeting with Jerry.

17 CHAIRPERSON BANIS: Okay.

18 MR. HILLIER: Since it's old technology, I
19 don't have to worry about getting it back here at the
20 other end.

21 CHAIRPERSON BANIS: Exactly.

22 MR. HILLIER: Second, I wanted to say a word
23 about the vandalism. Regardless of the vandalism these
24 guys have, let me assure you that in my experience of
25 too many years on the range and dealing with these

1 issues, that the depopulation that has occurred out
2 there exacerbates the vandalism. These fellows
3 encounter it on a regular basis. But believe me,
4 without the public out there, then you need more park
5 rangers, you need more BLM rangers, and they're not out
6 there 24/7 as a ranching family is. And I can assure
7 you that there is more vandalism that has to be replaced
8 by high-cost government people to supervise that. And
9 so there's a real down side that is associated with --
10 and I will say it -- driving the ranching families off
11 the ranch, and it's not often accounted for.

12 The third thing I'd like to comment about in
13 terms of ranching is, because of the tortoise work, a
14 lot of people have taken the conclusion that ranching
15 has to go, the use of Public Lands has to go. And there
16 are a number of examples that we have over a fairly long
17 period of time.

18 There's a plot in the Mojave National Preserve
19 that I have protected with my life, if you will, that
20 has been fenced since 1966. It's getting on board to
21 almost 50 years. There has been no change in terms of
22 the vegetation composition inside or outside of that
23 plot. And it's in the middle of one of Blair's grazing
24 areas. It's in the preserve. The sheep were removed
25 from the West Mojave in 1990. It's been 23 years now,

1 and there's -- as I go through Cuddeback Lake and those
2 areas, Kramer Hills, there's been no change in the
3 vegetation. And as near as I know, the tortoises have
4 not responded to the removal of livestock. And the
5 sheep industry basically has been gone from that region
6 for 20 some years, and there's been no recovery of the
7 tortoise population.

8 And so the questions that are raised about the
9 use of these people -- they get an unfair rap. They do
10 a good job of stewardship. Their presence on the land
11 is a positive factor. Thank you.

12 CHAIRPERSON BANIS: You bet. Thank you. Hi,
13 Marie, if you'd like to join us. Jim, do you have a
14 comment on this too?

15 MR. BRAMHAM: No. I'll refrain. Thank you.

16 CHAIRPERSON BANIS: Ed, would you like me to
17 save you a minute after Marie?

18 MR. WALDHEIM: Please.

19 CHAIRPERSON BANIS: Very good. We have Marie
20 followed by Ed, and that will conclude our public
21 comment on the subject.

22 MS. BRASHEAR: One of you -- I don't remember
23 which one -- suggested that the corridor be closed. It
24 can't be unless Congress acts because it's part of a
25 stipulated agreement that happened 30-some years ago.

1 So that's something you're going to have to take care of
2 a different way. The congressmen are going to have to
3 be involved and the state senators.

4 CHAIRPERSON BANIS: I'm sorry to jump in with a
5 question, but was that specific to that area, to that --

6 MS. BRASHEAR: It says Rattlesnake Canyon. I'm
7 telling you. I know. I was partly involved in it. So
8 yes, it does.

9 The other thing I think that some of you,
10 including us, should remember is that while we're out in
11 the desert hiking, riding bicycles, riding horses,
12 riding motorcycles and quads and all the other good
13 things, we're having fun. But this is their livelihood.
14 This is their families' way to earn a living. This is
15 not for fun.

16 And while it is a complex and complicated
17 system, I decided I would probably not stir the pot too
18 much speaking here. But I can remember in -- I think it
19 was the '80s, but it might have been the '90s -- and the
20 cry out there from some of our friends was, cattle free
21 by '83, and then it became '93, and then it became
22 whatever, all based on non-science.

23 What Gerry said is absolutely correct: there
24 have been no changes where -- actually there have been
25 changes where tortoises were. What happens is, the

1 tortoises have gone downhill, and they've gone downhill
2 primarily because we have draught conditions. And in
3 the past when we've had draught conditions, cattle
4 droppings, not sheep but cattle droppings, are moist,
5 and the tortoises survived on the liquids that were
6 available. Maybe they even became more populous in
7 areas where there were cattle. And when the cattle were
8 removed -- and you can see this over and over and over
9 again, not just with cattle but with other -- other
10 species.

11 There was for instance your sage grouse and
12 some other things that are out there and are in danger
13 and are special critters. Those animals have about ten
14 years once designated. In that ten years changes happen
15 in the environment, and the species population go down
16 particularly when cattle and sheep are removed.

17 I think that this is such a complex issue that
18 you have made a good start on, but it's going to take
19 not just the cooperation of BLM. It's going to take the
20 cooperation of Congress. Thank you.

21 CHAIRPERSON BANIS: Thanks, Marie.
22 Ed Waldheim.

23 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone,
24 California Trail Users Coalition and Friends of
25 El Mirage. Our issue as a society is our access to

1 Public Lands -- that's what we all are really fighting
2 for in the Federal Lands, Bureau of Land Management
3 Forest Service. With that comes a responsibility, and a
4 responsibility falls on the citizens who utilize or
5 recreate or use the accesses are open for us to utilize.
6 That is where our society, our moral society, is falling
7 apart. We have such total disregard for laws, signs.
8 People don't read anymore. I don't care if you're in a
9 Cadillac, in a pickup truck or a motorcycle. It is
10 pretty pathetic.

11 The latest thing we have now is, we have the
12 stealing of fences in the Wilderness Area. We lost a
13 mile of fence at Grass Valley Wilderness area. We lost
14 three miles of fencing in El Mirage. BLM went and put
15 it back again. It was stolen again. Now when you go
16 see fences and you see red tips or orange on it, it's me
17 graffiti-ing the things so law enforcement can go to any
18 junkyard. If they see anything with pink orange on the
19 post bingo, you're dead. It was stolen. We just
20 started it a week ago because we just can't keep up with
21 it anymore.

22 So I sympathize with the cattle people, but I
23 agree we cannot use that right-of-way. We have an
24 opportunity to put with money -- if we can get together
25 with Randy, if we can get together with Katrina and put

1 in the grant, I'll be more than happy to put in the
2 grant to go and fence. I can send the staff there, and
3 it won't take me any time to put the fencing, put the
4 cattle crossing, put the cattle stepovers. You say
5 OHV-ers are going to go over it anyway, some do, but it
6 is a deterrent.

7 And we have to step up law enforcement. We
8 have to step up law enforcement. I would also suggest
9 we go to Congressman -- what's his name.

10 MEMBER SALL: Cook.

11 MR. WALDHEIM: -- Paul Cook -- April and I, we
12 know him well -- and ask him to perhaps put in some
13 special appropriations of funding of law enforcement
14 people. Senator Feinstein did that for the marijuana
15 folks. She got all kinds of money put in there for
16 marijuana. We could put in special appropriations to
17 put one ranger or two rangers to help you guys on that
18 area. It probably would help us in Juniper Flat too,
19 where we're having all that problem. So let's go that
20 route. There's evidence we can do it.

21 Closing is a disaster because then we totally
22 lose control. Closing we just lose control. So I look
23 forward to working with you guys in trying to get
24 something resolved on that issue.

25 CHAIRPERSON BANIS: Thank you, Ed.

1 MR. BRAMHAM: Can I request my time?

2 CHAIRPERSON BANIS: I'll give it to you. Go
3 ahead.

4 MR. BRAMHAM: Thank you.

5 CHAIRPERSON BANIS: Then we're on schedule.

6 MR. BRAMHAM: At the risk of asking for more
7 groups and more meetings, the groups have been highly
8 responsible for positive reactions from the OHV
9 community, whether it was Dumont, ISDRA, the Special
10 Recreation Area Permit one that we just completed. I'm
11 wondering if this issue raises to the level of a
12 subgroup in the Barstow area to try to work through this
13 with OHV leadership. Honestly this is the first time
14 I've heard this mentioned. I want to be a positive part
15 of making a solution to this. Thank you.

16 CHAIRPERSON BANIS: Thank you, Jim. Billy, do
17 you want to close?

18 MR. MITCHELL: Yeah. Could I? I think what
19 this gentleman said right here, he's got the answer. I
20 think the Wilderness is already --

21 CHAIRPERSON BANIS: Into the mic. Come on up,
22 please. We want to hear.

23 MR. MITCHELL: The Wilderness is also affected
24 through Rattlesnake Canyon. You have really got to see
25 how that canyon is. And the fence I am losing, all

1 they're going to do is cut that. But I think the answer
2 was -- he had it right. If there can be funding for a
3 ranger or if you can create that, that's going to be the
4 answer other than the fencing and the cow guards. I
5 mean, you know yourself when you drive down the highway
6 and you see a patrol sitting there, you slow down
7 automatically. All they've got to do is write tickets
8 out there, and it's going to dawn on people when they
9 take motorcycles away we are the not going to go over
10 there.

11 That's all I want to say. I don't want to
12 waste time and energy on something I know these people
13 are going to tear out, you know. So if we can put in
14 law enforcement or rangers, that will be excellent.
15 Thank you.

16 CHAIRPERSON BANIS: You bet. Thank you very
17 much for this conversation we had today in opening up
18 discussions on ranching. Do you want to have a question
19 on that? Remember we actually close this topic at our
20 next meeting, so be thinking about any thoughts,
21 recommendations, things that you might want to suggest
22 that comes out of this discussion today. April?

23 MEMBER SALL: Thank you. On that note, I would
24 just like to bring up again in the conversation of not
25 only the Rattlesnake Canyon area but that sort of area

1 of the Barstow Field Office with the discussion of
2 Johnson Valley and the potential Marine Base, I would
3 advocate again that some more conversations move forward
4 that, if any expansion of the Marine Base into
5 Johnson Valley occurs, any acreage at all, that part of
6 that mitigation be that the Marines or some other
7 funding sources besides the BLM's already restricted
8 budget be for additional law enforcement and that
9 preemptively there may be a study of current uses and
10 maybe abuses and comparisons as a baseline.

11 CHAIRPERSON BANIS: We are all set. If there
12 are any other comments on this, I'd be happy to take
13 them. Seth.

14 MEMBER SHTEIR: Just wanted to add to that very
15 simply I support that idea that was just introduced and
16 would add off-road vehicle education and signage to that
17 mitigation as well. Thank you.

18 CHAIRPERSON BANIS: How are you doing? Would
19 you like a little break?

20 THE REPORTER: Very little.

21 CHAIRPERSON: Could we take under ten?

22 THE REPORTER: Yes.

23 CHAIRPERSON BANIS: We'll take an
24 under-ten-minute break, and we'll start with Dinah's
25 report. Take a short break for stenographer break and

1 rest break. We'll be back with mining report and back
2 on schedule soon. Thank you.

3 (A brief recess was taken.)

4 CHAIRPERSON BANIS: Sorry to interrupt. We're
5 going to pick up our last briefing of the morning. Our
6 next item on the agenda is a presentation on mining,
7 mineral extraction related issue from Dinah. You'll
8 recall at our last official DAC meeting in June Dinah
9 made a presentation about iron deposits in
10 Johnson Valley, and it was very well received.

11 MEMBER SHUMWAY: It was?

12 CHAIRPERSON BANIS: Yes, it was, and you had
13 everybody on the edge of your words. And there was good
14 discussion afterwards, so we decided to invite you back
15 to the microphone and see if you couldn't recreate the
16 magic.

17 MEMBER SHUMWAY: You poor people.

18 CHAIRPERSON BANIS: So Dinah Shumway is going
19 to present on mining and minerals. The floor mic or
20 whatever you need is yours.

21 MEMBER SHUMWAY: Do you want me to use the mic?

22 CHAIRPERSON BANIS: Mic is best. Thank you.

23 MEMBER SHUMWAY: Can I take it off and walk
24 around?

25 MR. RAZO: It's taped, but you've got a little

1 ways.

2 CHAIRPERSON BANIS: Or you can take one of
3 these. I don't know if it will be any better.

4 MEMBER SHUMWAY: I won't go very far. This is
5 quite a difference from the talks I've been giving.
6 I've given talks on gold five different times in the
7 last two months to rotary, robotics classes, high school
8 classes, various other types of things. So this is a
9 little bit different because I'm not talking about gold.

10 Okay. I'm going to be talking kind of
11 informally about my take on developing mineral resources
12 on Public Lands and the limitations about that and I
13 think what we all need to be aware of. Next slide,
14 please.

15 I told you it was informal. This is from the
16 Mineral Information Institute. They update this every
17 year, and this is essentially how much every American
18 born today will need over their lifetime. And you can
19 see the gamut runs from clay, salt, copper, gold,
20 phosphate, rock phosphate mostly for aluminum, iron,
21 ore, cement, natural gas, other minerals and led.

22 Does anybody know what do you use led for in
23 your life, almost a thousand pounds of led.

24 MEMBER MUTH: Fishing weights.

25 MEMBER SHUMWAY: Batteries. Batteries. Okay.

1 Next slide, please.

2 All right. This is kind of small writing, so
3 you can move up close if you have to. Wait a minute.
4 That should say "California." Why does it say
5 "Montana"? This is a total land federal acreage in 13
6 western states. This is from 1999, but I got it from
7 the 2012 Bureau of Land Management statistics. So
8 California has got a hundred million acres of the
9 Public Land, which is about 43.6 percent of our entire
10 state lands. Next slide, please.

11 BLM manages about one eighth of the entire land
12 mass in the U.S. That's about 12 percent. By
13 comparison all of the mining that has ever been done in
14 the U.S. throughout its history comprises less than two
15 percent.

16 And I have a little comment here. And I saw a
17 statistic once, and I am sorry I didn't collect it, but
18 there is some incredible amount of percentage, much more
19 than mining, that supermarket parking lots comprise in
20 the U.S. So compare that to mining. Next slide,
21 please.

22 This is from the Geology, Energy and Mineral
23 Resources Element, and these are going to be your next
24 three most boring slides. This is 1981-82 vintage, and
25 the thing I'd like to point out is that it points out

1 the CDCA is the most diverse geologic region in the U.S.
2 It's very important to our economy. In addition to the
3 occurrence of energy and mineral resources, other
4 minerals are known to be present in the CDC, and still
5 other undoubtedly remain to be discovered. Next slide,
6 please.

7 Further boring slides. The goals of the
8 G-E-M -- and the G-E-M is geology, energy and minerals.
9 It's an element. If you prepare a mineral potential
10 report, you must consult with the BLM for using their
11 G-E-M elements, which is a whole lot of information.
12 One of the goals is to involve the BLM actively with
13 multiple-use management and framework, continue to
14 recognize access and availability of as much Public Land
15 as possible for mineral exploration and development and
16 maintain the current database and analysis of G-E-M
17 resources. Next boring slide.

18 The specific objectives are to recognize ways
19 of access and opportunities for the exploration and
20 development of Public Lands for mineral potential
21 critical resources. These are like chromite, platinum,
22 things like that, strategic minerals. Recognize ways of
23 access and opportunities for energy minerals and
24 recognize ways of access and opportunities for
25 exploration of development on Public Lands which is

1 assessed to have potential for mineral resources.

2 And I have a yellow thing down there because
3 they specifically mentioned zeolites. This was 1980s.
4 Since this analysis was made in June, 1980, the zeolites
5 have become of national importance. Yes, that's true.
6 But the production of natural zeolites was overtaken by
7 the new technology which produced manufactured zeolites,
8 so essentially the market for natural zeolites collapsed
9 in the face of being able to manufacture zeolites for
10 specific purposes. That's how fast technology changes.
11 Next slide.

12 Okay. I tried to find my old BLM mission
13 statement which had "multiple use" in it as part of the
14 language. The new one is, "The mission of the Bureau of
15 Land Management to us is to sustain the health,
16 diversity and productivity of Public Lands for the use
17 and enjoyment of present and future generations."

18 There actually was a white paper on the web
19 from the Wilderness Society, which was essentially
20 crying over the fact that "multiple use" was taken out
21 of the new BLM management mission statement. Next
22 slide.

23 Okay. So here's why people like me care about
24 not closing up too much of the desert to further mineral
25 exploration. And it's because of geology. Geology is

1 what controls where minerals are. Advances in
2 technology is what controls how we use minerals in our
3 lives. Next slide.

4 Okay. So here are mining claims on
5 Public Lands. You can establish a mining claim for
6 certain minerals. In California we have about
7 21,000-plus claims. I could not get any data for the
8 Desert District at this point. I know it's there. I
9 just can't find it yet. Next slide.

10 Oh, each claim pays \$140 per year annually for
11 every 20 acres. Most claims are just 20 acres. Okay.
12 Here's the receipts, three-million-plus dollars for the
13 State of California.

14 Next slide. Okay. So here's the realities of
15 mineral exploration if you're a geologist like me. So
16 first you need to have a good geologic map. Does
17 anybody here think that we have adequate geologic maps
18 everywhere?

19 UNIDENTIFIED SPEAKER: No.

20 MEMBER SHUMWAY: No, we don't. Of course we're
21 always revising these maps. You need to collect surface
22 samples, so you need to get there and collect samples.
23 You need to have these samples analyzed for whatever
24 commodity you're looking at. You need to conduct
25 subsurface exploration. That means you've got to do

1 some drilling or you've got to do some trenching, so you
2 have got to get in there to do that. You need to
3 identify a market. No market, no reason to mine, no
4 reason to explore. Sometimes the market is just not
5 there. Sometimes the market is too far away. Sometimes
6 the market requires something that you don't have right
7 now, you don't have enough of right now. The price is
8 too low right now.

9 You need to secure permits for exploration. In
10 California the average time to secure a permit for
11 something that I would consider sort of innocuous, like
12 construction aggregate adjacent to your property where
13 you're already constructing aggregate, is ten years. So
14 that's ten years of money going out. So to do a cash
15 flow, that doesn't always work out. You need a big
16 deposit for that.

17 You do not mine without community consent. You
18 need to build infrastructure, more capital, and you need
19 to ramp up to optimum production. And so here we are.
20 And that's all driven by the plan, by a reclamation
21 plan. So right at the very beginning when you discover
22 or decide that you need to go forward with developing a
23 potential mine, you need to have a reclamation plan.
24 Once again, community consent. Next slide.

25 So here's my perspective on claims on

1 Public Lands and minerals on Public Lands. Wilderness
2 does not generate income for the owners of Public Lands.
3 It's Wilderness. It's closed to mineral entry, no
4 claims. Districts with significant Wilderness Lands
5 seem to have less operating funds. Now, I actually
6 asked somebody about this at the BLM, asked two
7 different people, and this was driven by a meeting that
8 I was at this week where a Forest Service hydrologist
9 told me that Forest Service districts that have lots of
10 Wilderness don't have as much money because the
11 perception is that Wilderness does not require
12 management. But we all know that all lands within
13 Public Lands require some management, just maybe not as
14 much. I don't know. I just know that that is the
15 perception. Most claims are never developed but still
16 provide revenue to the public.

17 I think as far as the environment is concerned,
18 one of the best things that ever happened was the BLM
19 and the Forest Service going to a fee for your annual
20 maintenance for claims. It's better to do that because
21 what would happen in the past is, if you had a claim,
22 you still had to spend about a hundred bucks. I think
23 it was a hundred dollars' worth of work to maintain your
24 claim annually. Well, it doesn't take a lot of money to
25 haul a dozer out and scrape up a little bit and doing

1 absolutely nothing but screwing up the environment when
2 it's better just to pay a fee. So this is one of the
3 good things that happened.

4 In California claim holders must maintain their
5 claims, so it's important that access to those claims be
6 maintained. So if you have a claim and you have to
7 visit that claim, then you need to have access to that
8 claim. Next slide.

9 Okay. So gold mines in California, there are
10 really only three big ones operating right now. Briggs
11 is a reopen. They're operating; right, Carl? Yeah.
12 They were in full reclamation. Now they're open.
13 Castle Mountain is conducting exploration activities.
14 They have a permit for the next five years to conduct
15 these activities. And Mesquite Mine has been more or
16 less continuing operating for the last 15 or 20 years.

17 Castle Mountain is an interesting story right
18 here -- and we can go to the next slide, please --
19 because Castle Mountain was in full reclamation, and
20 Feinstein's bill proposed incorporating the old Viceroy
21 property into the park, the East Mojave Preserve. Well,
22 anybody who knows anything about gold mining knows that
23 on your leach pad, which is the most efficient way for
24 recovering gold, especially low-grade gold deposits,
25 there is about 20 percent of the gold left on the pad.

1 You can never recover 100 percent of that unless you mix
2 it up and try it again with less and less results.

3 So essentially do the math. When they were
4 mining in Viceroy, the price of gold was about \$350.
5 What's the price of gold today?

6 MR. BRAMHAM: Fifteen hundred.

7 MR. HILLIER: Fourteen-something, yeah.

8 MEMBER SHUMWAY: That's good. It's going up
9 again. Do the math. Twenty percent of all the ore they
10 put on those pads is still on those pads, and somebody
11 wants to take it and put it into a park where it can
12 never be accessed. Sorry. That doesn't seem like a
13 logical way for a community to function.

14 Providence Mountains. In the Providence
15 Mountains -- this is from Bureau of Mines report -- all
16 of the gold and silver resources at mines in the study
17 area are currently sub-economic at gold and silver
18 prices -- at 400 troy and a hundred troy ounces
19 respectively. However in the Providence Mountains there
20 are areas that were regarded by the Bureau of Mines as
21 high potential for mineral production. So that changes,
22 but it's a Wilderness. There's more. Next slide.

23 Okay. This is a repeat, and I'm almost done.
24 So this is the access map for -- Ron, could you just
25 stand up and show them where Camp Rock Road is. Do you

1 know where it is?

2 MEMBER JOHNSTON: I'm trying to see where it is
3 here.

4 MEMBER SHUMWAY: See No. 6? If you could see
5 No. 6, that's the area of Camp Rock Valley. Thank you.
6 So up there two and three, that's the area of Camp Rock
7 Valley. So it's north and east of Lucerne Valley, the
8 Bessemer deposits and Camp Rock Road. Next slide,
9 please.

10 Okay. So this is the gravity map, and I had
11 this as a hard copy at our last meeting, but this time I
12 added the tons that are identified as resources in these
13 various deposits in the Camp Rock Valley. So the total
14 is over 331 million tons of iron. Now, does anybody
15 here remember what we use iron for? We use it for
16 cement, primarily cement. If you don't have iron, you
17 don't have cement. It's only five percent, but you
18 still need it to make cement to specifications.

19 So we have in California two iron deposits.
20 One is at Silver Lake, which will soon be closed by
21 contract with the Army. And it's almost depleted
22 anyway. Then we have another one at Baxter, and some of
23 us might have been on the Friends of Mineralogy -- no.
24 It was the Desert Conservation meeting this last April,
25 where we went to the Baxter on a field trip.

1 UNIDENTIFIED SPEAKER: Desert Symposium.

2 MEMBER SHUMWAY: Thank you. So we went to the
3 Baxter on a field trip. Well, the Baxter is privately
4 owned by CalPortland, and if I owned that, I wouldn't
5 sell it to my competitors either. So the next closest
6 iron resource for our cement industry in Southern
7 California is in Utah. Okay. So if you're an
8 environmentalist and you don't like to see big trucks on
9 the road hauling stuff back and forth when you have iron
10 deposits in your backyard, I would say that's probably
11 not a logical approach either.

12 Here's the problem: the Morris Lode at ten
13 million tons in the far east here (pointing) is
14 permitted, and that's probably enough for several
15 decades to serve the mining industry. The other one,
16 this 250 million tons at the Mann deposit, is about
17 2,000-feet deep. So right now that would be uneconomic.

18 Here's the problem that I have with this: the
19 Cook Bill, which will essentially provide a designated
20 off-road area in Johnson Valley, proposes to close the
21 area to mineral entry. And here we are again closing an
22 area to mineral entry when we have known resources. So
23 I ask you as owners of Public Lands, do you think this
24 is a logical way to proceed? I don't. Next slide.

25 So in closing, this is a cartoon that I've used

1 a lot. Even the high school kids get it. As your new
2 efficiency expert, my first recommendation is to move
3 all of your properties to a central location, preferably
4 not on Federal Lands. Next slide.

5 And that's us right there. Okay. I'm done
6 unless there are questions. As I said, it's my personal
7 perspective. Questions?

8 (Applause.)

9 MEMBER SHTEIR: I'd like to thank you for that
10 presentation. I had a question and then a comment. And
11 what was zeolite?

12 MEMBER SHUMWAY: Zeolite is a clay.

13 MEMBER MUTH: We had to look it up over here
14 too.

15 MEMBER SHUMWAY: It's a clay. But it's mostly
16 used as a filtering agent, and they use it as a
17 filtering agent for primarily nuclear-contaminated
18 fluids, waters and things like that. And the beauty of
19 it was, it has a certain angstrom size in its crystal
20 structure that would grab these, I guess, nuclear
21 pollutions from these things. But it's primarily used
22 as a filtering agent like diatomite, something like
23 that. And it's high filtration so they can essentially
24 precipitate manufactured zeolites, synthetic zeolites
25 from mostly silica to the exact angstrom size that they

1 need, so it's a better product.

2 MEMBER SHTEIR: I certainly learned a lot
3 there. I had one contrasting view of Wilderness,
4 though. While I recognize that, you know, the agency
5 doesn't make money from permits on Wilderness for mining
6 and such-and-such, Wilderness does have a significant
7 value in terms of recreational tourism. And there's
8 been a lot of research out on this lately.

9 And for those folks who want to find out more
10 about this, please do go to Headwaters Economics -- you
11 can Google that -- or Michigan State University NPS
12 money-generation models. And I'll just share a few of
13 the figures with you because I've been using them a lot.
14 And that is I this that in 2011 there are almost three
15 million recreational visits to the three California
16 Desert National Parks; for example, Joshua Tree, Death
17 Valley and Mojave. And those visitors to those parks
18 infuse local gateway community economies with over a
19 hundred million dollars in direct spending and supported
20 over 1200 full and part-time jobs.

21 And so while Wilderness doesn't necessarily
22 have an extractive value from that sense, it does have a
23 recreational tourism value from that. And I just wanted
24 to point that out as well.

25 MEMBER SHUMWAY: I would point out also that

1 Wilderness is not the same as Parks. Parks allow people
2 to camp, to drive as well as to hike. So it provides
3 access for disabled people or people that don't have the
4 skills or strength to hike into a Wilderness Area.

5 MEMBER SHTEIR: Most of the land in our three
6 desert National Parks that's federally designated
7 Wilderness, a park like Joshua Tree National Park, 80
8 percent of that, or over 585,000 acres, is federally
9 designated Wilderness. So our California Desert parks,
10 while they do have Wilderness in the front country, the
11 majority of the lands are federally designated
12 Wilderness.

13 MEMBER SHUMWAY: I don't dispute that, but
14 there are plenty of other Wildernesses in the
15 Public Lands who don't have Parks associated with them.
16 And if you look, the old topo sheets show that there has
17 been active mineral exploration. And when somebody like
18 me sees a whole bunch of prospects in a certain area and
19 has favorable geology, the first thing you would think
20 is, I wonder what's out there. So if they're closed to
21 Wilderness, you can't even find out.

22 MEMBER SHTEIR: Well, I understand that, and
23 those are all good points. I'm not disputing the fact
24 that mineral exploration has substantial economic value.
25 I'm simply pointing out that our Wilderness-designated

1 areas have significant recreational attributes and other
2 values and economic values as well to communities.
3 That's all.

4 CHAIRPERSON BANIS: Go ahead, Kim.

5 MEMBER CAMPELL-ERB: As a rockhound I can tell
6 you that most rockhounds used to go to a lot of places
7 that are now Wilderness, and they can't get there now if
8 they were allowed to collect there at all. So there may
9 be recreational value for people who want to go there
10 for reasons other than rockhounding and mineral
11 collecting, but number one, you have to be able to get
12 there, and a lot of the old routes that went into those
13 areas are no longer open.

14 If you want to hike in, you have to be very
15 able bodied. You have to be able to carry food and
16 water, and a lot of rockhounds are older and have
17 physical limitations, and they have lost those areas.
18 They've lost that recreational ability.

19 So I wanted to point that out. You are
20 limiting who can use those areas by designating it as
21 Wilderness. So yes, the Wilderness may provide
22 recreational opportunities for a very limited group, but
23 you're excluding other people from recreational
24 opportunities who used to recreate there. Just a
25 thought.

1 MEMBER SHTEIR: And that kind of has to do with
2 nexus on our Federal Lands. You know, some areas are
3 federally designated Wilderness, which do have certain
4 types of recreation that are allowed and certain types
5 of recreation that aren't allowed, and other nexus on
6 our Public Lands have big mining claims, which preclude
7 other sorts of development, and other places still have
8 renewable energy development, which precludes other
9 types of recreation.

10 So the purpose in my mind of Wilderness is that
11 it has certain aesthetic scientific recreational values,
12 not claiming here that every area should be designated
13 Wilderness. Obviously not. But it does meet a certain
14 important criteria in our Public Lands, just like mining
15 areas do and just like the broader base OHV areas do.

16 MEMBER SHUMWAY: Questions? Told you it was
17 boring.

18 CHAIRPERSON BANIS: No questions? We have room
19 for public comment on this, questions and comments on
20 this topic. I have three cards. If you have comment,
21 raise your hand. I've got Ed, Marie and Jim on all of
22 the subjects.

23 MR. BRAMHAM: Pass.

24 CHAIRPERSON BANIS: Marie, would you like to
25 come up? Please do.

1 MS. BRASHEAR: Ninety-eight percent of
2 collecting areas in California were lost with the
3 California Desert Protection Act. And by the way, your
4 Wilderness, it wasn't done by science, just like the
5 current bill that's sitting back there waiting to be
6 introduced, it's not science either. You can go to the
7 website and look at it, and there's not one bit of
8 science there either. This is of the supporters.

9 And I think what you have to understand is that
10 in California there are about 40,000 folks who recreate
11 as rockhounds. Not all of them belong to associations.
12 However when the California Desert Protection Act was
13 passed, it again took 98 percent of our collecting
14 areas. We no longer can access them. We can still
15 collect in them so long as we make sure we do not
16 destroy any Wilderness values, if we have the strength
17 to walk in and hike in and then hike out with whatever
18 it is we've collected. I think that maybe that's all
19 you need to know right now.

20 CHAIRPERSON BANIS: Thank you, Marie. Seth,
21 question?

22 MEMBER SHTEIR: Just a comment pertaining of
23 the relation between Wilderness and science is, what I
24 mentioned is mainly that Wilderness is a living
25 laboratory for many scientists because the ecosystems

1 and other processes and features are very unique there
2 because they haven't been disturbed.

3 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone.
4 Dinah always does an incredible job in reporting the
5 mining activities, but she failed to add our little
6 gold-mining activity we have just north of Randsburg.
7 They are mining gold all day long 365 days a year, and
8 they're doing pretty good. The only threat we have now
9 is with the taking of the water out of the
10 Fremont Valley area, there's a big hullabaloo going on
11 there.

12 MEMBER SHUMWAY: Are you talking about Yellow
13 Aster?

14 MR. WALDHEIM: Smokey Bear, Little Bear.

15 MR. SYMONS: Sleepy Bear.

16 MR. WALDHEIM: Sleepy Bear.

17 MEMBER SHUMWAY: I did forget that.

18 MR. WALDHEIM: He's doing very, very good
19 mining. Employs about four or five people there all the
20 time. So mining is very, very important.

21 CHAIRPERSON BANIS: Thank you. I have no other
22 comment cards. It's been suggested that we press on in
23 light of weather for an opportunity for an early exit.
24 Is anybody opposed to that? Would that be okay to press
25 on?

1 MEMBER SHUMWAY: Yes, I propose we press on.

2 MEMBER HOUSTON: I'm not terribly opposed, but
3 I was really looking forward to my tamale.

4 CHAIRPERSON BANIS: I'll have tamales with you
5 after.

6 MEMBER O'BOYLE: We all have to check out of
7 rooms by 1:00.

8 CHAIRPERSON BANIS: So we'll want to take a
9 break for that if you haven't already. So maybe we
10 should just press on. From what I understand, the next
11 topic briefing is actually brief. Is that true? I've
12 heard.

13 MS. SYMONS: I don't know. If it's anything
14 like Ridgecrest, it will be brief because Carl was
15 talking so much. But I've got Mike here, so I don't
16 know.

17 CHAIRPERSON BANIS: Let's see if we can press
18 on a bit for this one more session. The rest is "Q" and
19 "A." Let's see how far we get. We may be able to do
20 this.

21 The floor is yours, Katrina, for a topic
22 briefing on Route 66.

23 MR. AHRENS: I can be brief.

24 MS. SYMONS: Okay. Connecting people with the
25 California Desert. Underneath that initiative certainly

1 we've got the Route 66. We were able to secure a grant
2 from the Federal Highway Administration and have now a
3 contractor to prepare a corridor management plan. And
4 ultimately that corridor management plan will be to
5 designate the official Route 66 within California
6 itself. We're going to be focusing on the segment
7 between Needles and Barstow. It will also be talking
8 about the intrinsic values within the corridor, which
9 involves BLM lands. We currently have nine Wildernesses
10 and one ACEC within that corridor, so it's a huge
11 opportunity to recognize the National Conservation
12 Lands.

13 And then the third component of the corridor
14 management plan will be a marketing strategy. You know,
15 it's a huge opportunity to have the partnership with our
16 gateway communities in both Needles as well as Barstow.

17 On December 3rd through 5th we had a kickoff
18 bus tour, which unfortunately I was not able to go on,
19 but Mike Ahrens did, so he's here to talk a little bit
20 about that. And then also April was fortunate enough to
21 attend. I see that she has stepped out. So Mike, if
22 you can take over.

23 MR. AHRENS: Okay. Thank you. Mike Ahrens,
24 Needles Field Office. Yes, Katrina chose to rather to
25 play with the WEMO folks than go out on Route 66. I

1 thought it a poor choose personally, but I was happy to
2 go to that. As Katrina said, it was a kickoff tour for
3 the corridor management plan. It's sponsored by the
4 California Historic Route 66 Association.

5 So just in brief, it was very well attended.
6 We had kickoff meeting beginning in Needles. I guess
7 that would have been Tuesday night. It was very well
8 attended by the local government and chambers and
9 tourism boards there. Had a lot of enthusiasm in the
10 room for the project and for Route 66. We traveled the
11 route on Wednesday, had a terrific narration by
12 Roger Hathaway, a consulting archaeologist for the
13 County of San Bernardino, who has been recording,
14 studying and recording sites along Route 66 since, it
15 sounds like, mid '80s, very knowledgeable of the area,
16 and it was very much like drinking out of a fire hose,
17 the wealth of information that was given us there.

18 And then we concluded the tour Wednesday night
19 and Thursday in Barstow, again kicked off the planning
20 effort, began to scope amongst those folks on the tour
21 about the values of Route 66, the needs for tourism and
22 how that plan could be put together.

23 So tour was really good. I was very impressed,
24 very good, and a lot of enthusiasm, very well attended
25 in each community, both Needles Barstow, and also

1 Newberry Springs, so off to a good start, I think, on
2 the corridor management plan.

3 Also I wanted to take a moment to talk about
4 some parallel plans that the Bureau is initiating in
5 regards to Route 66. We spoke a little bit about this
6 yesterday. In the course of the next few months the
7 objective is -- by the end of March, our office intends
8 to establish a roadside information center, if you will,
9 area at the five-mile exit on I-40 right there for
10 eastern California.

11 We have an already very well-disturbed piece of
12 land there, which is essentially on the most eastern
13 portion of Route 66, entrance into Route 66 into
14 California. That allows you continuous access to
15 Route 66 westward. We think it will be a great
16 opportunity to not only interpret Route 66 but certainly
17 our National Conservation Lands as well, surrounded
18 there with BLM lands, the Chemehuevi Mountain
19 Wilderness, Dead Mountain Wilderness in the distance.
20 So we're looking forward to working on that. Looking
21 forward to having you guys out there for groundbreaking
22 as that comes along.

23 Also we find that we have three original
24 Route 66 roadside rest areas within that jurisdiction.
25 Two are in Needles, one just east of Ludlow in the

1 Barstow Field Office. We think we might actually be
2 able to access the original building plans for those.
3 Roger Hathaway is actually going to help us with that.
4 So we wanted to explore as a little longer-term goal,
5 reestablishing those and constructing to those old
6 plans. So those are kind of the things, I guess, at
7 this point that we're moving forward with and/or
8 considering.

9 MS. SYMONS: All right. So at the end of the
10 corridor management plan, which we're right now
11 anticipating to be on or about February of 2015, then
12 that will bring us into our next step of actually
13 seeking a National Scenic Byway designation for
14 Route 66. The route goes through eight states, and
15 currently five of them have the designation, and so
16 hopefully California will be the next one in line.

17 Also along with this, San Bernardino County has
18 recently raised an issue of the aging infrastructure of
19 the wooden bridges along the segments of the Route 66.
20 They have been talking about, you know, anywhere from
21 closure to repair to maybe partial closures. So it's
22 just like, stay tuned. There will be more public
23 dialogue on how San Bernardino County would like to
24 proceed in order to address the aging infrastructure
25 issue. There's certainly a cultural factor involved

1 with those, but just know that at least where we plan to
2 do our first kiosk turnout, we don't have an issue with
3 the infrastructure at that location.

4 Hand in hand with the overall strategy for the
5 route, there are also a number of other actions that BLM
6 will be undertaking this fiscal year, including
7 rewriting of Route 66 brochure, social media blitzes and
8 then certainly just all the work associated with putting
9 together the corridor management plan, which will be a
10 public process.

11 CHAIRPERSON BANIS: Don?

12 MEMBER HOUSTON: Yeah, I have a number of
13 questions, Katrina. What's the environmental process
14 looking like? Is it NEPA/CEQA on this plan?

15 MS. SYMONS: The San Bernardino County will be
16 taking the lead.

17 MEMBER HOUSTON: On CEQA?

18 MS. SYMONS: Yep.

19 MEMBER HOUSTON: Will there be a joint
20 document?

21 MS. SYMONS: So Mike Ahrens, actually, you
22 participated in one of the telephone calls?

23 MR. AHRENS: No. Actually I was managing too
24 many hats.

25 MS. SYMONS: I do not have all the answers, but

1 I can get that and make sure we report on it at the next
2 meeting.

3 MEMBER HOUSTON: Two more, and I'll be done.
4 Your field office report, when they describe this
5 process, "solicited participation from the readers and
6 gave two e-mail addresses." So what is that
7 participation going to look like? Are there going to be
8 scoping meetings? Is there going to be public comment
9 and all that kind of good stuff?

10 MS. SYMONS: Yeah. So Duran Sanchez, he is the
11 project manager for both the Route 66 as well as the
12 Patton Camp initiatives. So I would say get ahold of
13 Duran, and he'll be able to give you our calendar of
14 events, the timeline of when to engage in the process.

15 MEMBER HOUSTON: One last thing, and this is
16 more of a comment. There's lots of infrastructure that
17 parallels portions of Route 66, of existing
18 infrastructure, and maintenance of existing
19 infrastructure is exempt. It's a categorical exemption
20 under CEQA. But there are exceptions to those
21 exemptions, and one of which is impacts to Scenic
22 Highways. So this designation is going to extinguish
23 that exemption for all those maintenance activities on
24 all the pipelines, power lines, telecommunications
25 equipment.

1 So today they don't have to go through CEQA,
2 but with this designation, they will. And that's a huge
3 regulatory burden. And so I think there needs to be
4 some discussion of that impact to try to reconcile it to
5 maintain those exemptions, because, you know, the
6 infrastructure is there now.

7 CHAIRPERSON BANIS: Why did you save that for
8 the last?

9 MEMBER JOHNSTON: Question, Katrina. My
10 understanding is that there has been marginal, if any,
11 maintenance of Route 66 now for probably two decades;
12 correct?

13 MS. SYMONS: I would hesitate to talk on the
14 behalf of San Bernardino County.

15 MEMBER JOHNSTON: Well, my question -- I guess
16 more appropriate -- is, is Caltrans going to be involved
17 in doing preparation work and other remedial work on the
18 highway itself when this is all said and done?

19 MS. SYMONS: For the development of the
20 corridor management plan, it is an open public process
21 engaging stakeholders from all sectors, local, state,
22 county governments, tribal entities, the Route 66
23 Association. I mean, I can go on and on. So we are
24 just right now in the early processes. We have over a
25 year to go, and I am absolutely positive that concerns

1 such as what you just raised will be coming out of how
2 do we best move forward on the management of this unique
3 resource.

4 MEMBER JOHNSTON: Thank you.

5 MEMBER SHUMWAY: Can I ask a question?

6 CHAIRPERSON BANIS: Dinah.

7 MEMBER SHUMWAY: It's in follow-up to Don's
8 question. So let's assume that the request to make this
9 a Scenic Byway is successful. Is your knowledge about
10 other segments of Route 66 that has been designated as
11 Scenic Byways -- do they have written into it an
12 exemption for the maintenance of utilities, for example?

13 MS. SYMONS: I have no knowledge. I can do a
14 followup.

15 MEMBER SHUMWAY: Right. I'm just thinking,
16 studying precedence is always risky. But this does seem
17 like a very legitimate concern for -- well, not only
18 communities but for the independent industries
19 themselves. But that impacts communities as well
20 financially. Thank you.

21 CHAIRPERSON BANIS: Other questions? I can say
22 I've seen interpretation of ancient geological features.
23 I've seen interpretation of dinosaur areas. I've seen
24 interpretation of thousand-year-old petroglyphs. I'm
25 feeling old when we're interpreting paved roads in the

1 desert.

2 All right. No more comments and questions?
3 Public, any comments or questions on this? I have cards
4 from Ed, Jim and Marie.

5 MR. HILLIER: I'd like to speak.

6 CHAIRPERSON BANIS: Gerry, would you like to
7 have a comment?

8 MR. HILLIER: Yes. Thank you, Mr. Chairman,
9 and especially without a card that I handed in. I've
10 been assured that there has been a close communication
11 with the San Bernardino County Department of
12 Public Works, and so you know there's no need for me to
13 seek further input there, and Roger is a tremendous
14 resource.

15 There is a chunk of this highway -- it's
16 interesting. I have not looked at the master title
17 plats, but I suspect that most of the highway exists
18 under RS2477 rather than the formal right-of-way, but
19 the stretch from Essex north of I-40 that goes through
20 Goffs and then comes back through Arrowhead Junction was
21 secured as a right-of-way under 2477 under the
22 settlement with the Park Service under the Quiet Title
23 Action a year ago, and so that clearly is the County's.
24 But the State of California basically washed their hands
25 of it. When they opened I-40, they gave their former

1 right-of-way to the County to maintain.

2 And this issue of replacing the timbers is a
3 big deal because it's very, very expensive, and the
4 Federal Highway Administration, when they do restoration
5 and they find federal grant money to be able to
6 subsidize -- and the County hasn't got a great deal of
7 money to devote to this, not when they have highway and
8 road maintenance needs in more populated areas of the
9 County -- the Federal Highway Administration wants it
10 built to current standards, which is all reinforced
11 concrete.

12 And so the County has been actively
13 participating to try and get a waiver of that so that
14 they can use modern structural timber to maintain the
15 historic integrity of those bridges. And this is going
16 to be a difficult process to work around, and we've been
17 in touch with Senator Feinstein's office in fact to
18 attempt to write in some exclusions and waivers.

19 Mr. Houston's issue of the exemptions under
20 CEQA were interesting and certainly raised a new issue,
21 as far as I was concerned. But I would add to the
22 exemptions and all there is that, assuming that
23 Senator Feinstein does introduce California Desert
24 Protection Act 2, that of course one of the targets is a
25 National Monument that will be established.

1 By the way, Katrina, what's the width of your
2 planning area? You haven't set that? Okay.

3 At any rate I'm sure that National Monument
4 designation could also add to this regulatory framework
5 and exclusions or non-exclusions. And so there's a
6 great deal that needs to be integrated into this in
7 terms of consideration, not only in terms of current
8 regulatory framework but potential regulatory framework
9 with the National Monument.

10 Oh, I just want to put on the record that this
11 will be of concern to the County. The County is
12 full-bore behind this, but it's got to be done right.

13 CHAIRPERSON BANIS: Thanks for tying that in.

14 MEMBER HOUSTON: One comment, Mr. Chairman.

15 CHAIRPERSON BANIS: There you are. Okay.

16 MEMBER HOUSTON: In this process this CEQA
17 and/or NEPA process more than likely will also include
18 an eligibility assessment under Section 106 for not only
19 the road but the bridges as well. So that could also
20 impose additional restrictions on use and maintenance of
21 adjacent facilities.

22 CHAIRPERSON BANIS: Ed?

23 MR. WALDHEIM: Having traveled the route --
24 Ed Waldheim with California Trail Users Coalition -- I
25 am very concerned with what Don just brought up. That

1 this is brought up not just yes, there was a report. I
2 think we should highlight it, underline it, make sure
3 Mr. Ten up in Sacramento fully understands the
4 implications of what they have to do, not just, "Thank
5 you very much, and seen you tomorrow."

6 The implications of losing those exemptions
7 would be absolutely devastating and become a project
8 that never gets finished because nobody has the money to
9 do that anymore, so I think we should take that very
10 seriously.

11 MEMBER HOUSTON: I think it's a good idea, but
12 you want industry on your side, and if you're making a
13 designation which is going to impose huge costs on the
14 utility industry and the energy industry, you're not
15 going to have them on your side, and the likelihood of
16 success is much lower. You're not going to have the
17 utility and energy industry on your side if they see
18 these exemptions going away. I think that's the key of
19 success to this effort.

20 CHAIRPERSON BANIS: Paul.

21 MEMBER O'BOYLE: Yes. I'd like to chime in. I
22 agree with Don. I would say that a lot of the stuff is
23 dictated by state and federal law, what they can and
24 cannot do. There are certain rights the public
25 utilities, specifically telephone companies, have. I

1 can't address the issues for the energy companies per
2 se, but they do and continue to have right to be in the
3 right-of-way, so I don't think it would be precluded.
4 But I do think it's a good idea to actually write it
5 into the language that you're speaking of.

6 CHAIRPERSON BANIS: Jim?

7 MR. BRAMHAM: My history for this route started
8 when I started college in Flagstaff Arizona and there
9 was no interstate 40, and so this was my route to
10 college. And I fell in love with it at that point in
11 time, and later I started trucking fuel oil out of
12 Bakersfield into the Arizona fuel markets, and we found
13 that this was the better route to drive with fuel trucks
14 than the interstate because, once you leave Ludlow,
15 there isn't a mile that goes uphill that goes back
16 downhill, versus I-40 that goes up through the
17 Sacramento Mountains was actually faster and more
18 economical both fuel-wise and time-wise to drive 66 than
19 it was to drive 40.

20 We have watched the weight limits on that road
21 decrease and decrease through the years because of the
22 bridge problems, and so no longer do you have interstate
23 trucking going across that route, unless someone has
24 chosen to ignore those signs.

25 But the other thing I want to expand on about

1 federal highway dollars is, it is my understanding that
2 this land, this right-of-way was given to the County at
3 the time the interstate was constructed, and therefore
4 there has been very limited federal dollars available or
5 even Caltrans dollars to do much of the work along this
6 route.

7 And if you do apply for federal dollars, not
8 only do they want you to build concrete bridges, they
9 have to meet the width restrictions out of this current
10 federal highway standard, which is 12-foot travel lanes
11 and ten-foot breakdown lanes. So now you need a bridge
12 that is 24 for the travel lanes and another ten on each
13 side. So you're looking at way wider bridges than you
14 were before, so there's a greater footprint to that.

15 It took Caltrans almost ten years to get an
16 exemption to that rule to rebuild Interstate 80 from
17 Truckee to Reno that goes down through Birdseye Canyon
18 because they did not want to increase the footprint of
19 that by including ten-foot breakdown lanes. So there
20 are some serious issues to rebuilding this road
21 funding-wise, construction-wise and so on.

22 But on the other side of that I've been very
23 involved in Northern Nevada, where they did very much
24 the similar process with Highway 50, the, quote,
25 "loneliest highway in America," policy that went through

1 and brought a lot of tourism to the area, brought a lot
2 of people to identify with that route, a lot of things
3 to see obviously along that way between pony express
4 routes and stage coach routes and so on and plus all the
5 historic other things that were along Highway 50. So
6 I'm glad to see that we're going to try to move to keep
7 this, but I do see that there are a lot of problems with
8 the infrastructure and the dollars available. Thank
9 you.

10 CHAIRPERSON BANIS: Thank you, Jim. Last
11 comments? Good. Thank you. Mike, Katrina, thank you
12 very much for updating us on those issues. Those are
13 great projects. We'll be hearing more.

14 Next item. Are we okay? We're going to try to
15 push a little bit without lunch. The Dumont Dunes
16 Subgroup Report is first.

17 The Dumont Subgroup met on November the 19th.
18 We had a spirited conversation about a bumpy start to
19 the beginning of the dunes season, but we also had a
20 conversation regarding the lack of a cooperative
21 agreement of law enforcement with the San Bernardino
22 County Sheriff's office.

23 And the subgroup passed the following
24 recommendation, and that is, "In order to improve
25 communications, effectiveness and efficiency under

1 decreasing resources, we encourage the BLM to work with
2 San Bernardino County's Sheriff's office to reinstitute
3 a cooperative agreement for law enforcement."

4 I don't want to get too long into the history.
5 I think many of you know that as much as a decade or
6 more ago the cooperative agreement between the sheriff's
7 office and the BLM was broken, and that caused us
8 difficulties in trying to respond to incidences where
9 you need quick, timely and sometimes joint responses.
10 So that's where this comes into play. Years have gone
11 by. Water has gone under the bridge. And we believe
12 that it's time in the Dumont Dunes area that we could
13 benefit from such a cooperative agreement again.

14 Comments, questions?

15 MEMBER SHUMWAY: Is there a reason it broke
16 down?

17 DIRECTOR RAML: Long history, yeah.

18 CHAIRPERSON BANIS: It's rooted in the --

19 DIRECTOR RAML: If Billy were here, he would
20 tell you.

21 CHAIRPERSON BANIS: Yeah. It's rooted in the
22 Sage Brush Rebellion. Not really, but it's a bad --
23 Gerry didn't like that term. It's a bad coining, but
24 it's the --

25 MR. HILLIER: There have been some longstanding

1 issues of concern between the ranching community and the
2 sheriff's office, and about the time it started to get
3 resolved, something else would happen. Leave it at
4 that.

5 CHAIRPERSON BANIS: Okay.

6 MEMBER SHUMWAY: So are there new players so
7 that you're optimistic about agreement being possible
8 this time around?

9 CHAIRPERSON BANIS: Years have gone by and new
10 elected officials and maybe new ears.

11 MEMBER SHUMWAY: The need is still there.
12 Okay. Thank you.

13 CHAIRPERSON BANIS: Does the DAC wish to
14 acknowledge this recommendation and accept the
15 recommendation of the Dumont Subgroup?

16 MEMBER MUTH: So moved.

17 CHAIRPERSON BANIS: Thank you. Second?

18 MEMBER O'BOYLE: Second.

19 CHAIRPERSON BANIS: Seconded by Paul.
20 Discussion on the motion to accept?

21 MEMBER SHUMWAY: So the subgroup will go
22 forward in approaching the sheriff?

23 CHAIRPERSON BANIS: No, no. This is advice
24 from the subgroup to the DAC that we encourage the BLM
25 to work with the sheriff's department to reinstitute the

1 cooperative agreement with law enforcement.

2 MEMBER SHUMWAY: I agree.

3 CHAIRPERSON BANIS: So it would be us either
4 accepting the report or accepting their recommendation.
5 Was this to accept the report or accept the
6 recommendation, your motion?

7 MEMBER MUTH: The recommendation.

8 CHAIRPERSON BANIS: And the second?

9 MEMBER O'BOYLE: Yes.

10 CHAIRPERSON BANIS: The recommendation.
11 Comments?

12 MEMBER HOUSTON: So the BLM will just be
13 revisiting old business? Or is there something new
14 here?

15 CHAIRPERSON BANIS: How do I answer that? What
16 is new may be a new cast of players and a new
17 willingness to cooperate in times of declining
18 resources. This is coming somewhat from complaints on
19 the ground, and we know that the resources in law
20 enforcement are continually under constraint, and we
21 would hope to get more efficiency and effectiveness out
22 of a cooperative agreement as other counties have with
23 the BLM, as other counties have.

24 Okay. No other discussion? Those in favor of
25 the accepting the recommendation, say "Aye" or raise

1 your hand. Opposed?

2 (A vote was taken.)

3 CHAIRPERSON BANIS: None. Motion passes. Next
4 item on the agenda is a report from the SRP Subgroup.
5 Kim is the chair of the SRP Subgroup.

6 MR. HILLIER: Quick question. Having given
7 that recommendation, what's the course of action that's
8 going to ensue from that?

9 CHAIRPERSON BANIS: I believe that the best
10 thing the DAC could get would be perhaps a summary of
11 the status of this, a little background and a future
12 field office or district manager report to see if this
13 is something that the BLM wishes to move forward on, and
14 we'll will then move forward on it.

15 Katrina, do you think that would be okay.

16 MS. SYMONS: Just to give an update,
17 Chief Chassie, my chief law enforcement officer or
18 ranger, is already entering into that dialogue with
19 San Bernardino County Sheriff's Department in order to
20 do just that. So I see this as basically just an
21 endorsement of the work and dialogue that's currently
22 ongoing.

23 CHAIRPERSON BANIS: Yes.

24 MR. HILLIER: Thank you.

25 CHAIRPERSON BANIS: Kim, the floor is yours.

1 MEMBER CAMPELL-ERB: We had a subgroup meeting.
2 The Special Recreation Subgroup met -- I believe it was
3 November 13th at the Moreno Valley District Office of
4 the BLM, and it was a good meeting. We're kind of
5 kicking off our study and our evaluation of the special
6 recreation permits for non-competitive events, and we
7 are currently working toward processing some
8 hypothetical permit applications for various events.
9 And we will be doing that at different field offices for
10 different events, coupled rockhound events at different
11 places with different sizes.

12 And then at the next meeting we will be
13 discussing the outcome from that, and I think it will be
14 very interesting for those of us that are involved in
15 non-competitive events. And the next meeting again is
16 January 15th.

17 CHAIRPERSON BANIS: Thanks, Kim. Questions?
18 Tom, could I put you on the spot for ISDRA Subgroup. I
19 didn't receive any formal motions from the last meeting
20 or formal recommendations. I'm not sure if there were
21 any, but there may be some discussions you could help us
22 characterize.

23 MR. ZALE: Sure, I will.

24 CHAIRPERSON BANIS: Thanks, Tom.

25 MR. ZALE: So the subgroup had a productive

1 meeting on November 20th. We talked a little bit about
2 conforming the subgroup's charter with the DAC charter.
3 We also talked about the need for the County of Imperial
4 and the DAC to fill vacancies for the upcoming year and
5 hope to have that accomplished before May 22nd, which is
6 our next meeting date.

7 We talked about old business, including
8 focusing some attention again on the Wash Road, on the
9 ATV training for kids and also looking at the
10 possibility of applying for a grant for the Watchable
11 Wildlife site up in the North Algodones Dunes.

12 There was one motion, and the motion reads,
13 "BLM have a proposal for a one-day pass as an agenda
14 item for the May 22nd, 2014 meeting." It was made by
15 Jim and seconded by Tom Acuna, and it passed
16 unanimously. So we will be working to make a proposed
17 one-day pass available for discussion at that next
18 meeting.

19 We also talked about a second-vehicle permit,
20 and finally we talked about the permit-replacement issue
21 that you raised, Dinah, and we think we have that
22 solved. Our contractor is basically currently refunding
23 or replacing, I guess, damaged permits when an
24 application is made for a fee of five dollars. So that
25 problem was solved.

1 CHAIRPERSON BANIS: Okay. Terrific. Thank you
2 for noting that for us. I appreciate it.

3 MR. ZALE: Okay.

4 MEMBER HOUSTON: Can I ask a question?

5 CHAIRPERSON BANIS: Yes, of course.

6 MEMBER HOUSTON: Tom, we will probably revisit
7 this later when we get field office reports. So the
8 subgroup is asking the DAC to consider recommending the
9 one-day pass that was discussed a lot in August; is that
10 right?

11 MR. ZALE: Well, the subgroup is recommending
12 that BLM bring a proposed one-day pass for the
13 subgroup's consideration at the May meeting.

14 CHAIRPERSON BANIS: So it was a vote among
15 themselves to agendize that on their own next meeting.

16 MEMBER HOUSTON: Oh, their own next meeting?

17 CHAIRPERSON BANIS: Correct. It's not ripe for
18 us yet. They're going to agendize, discuss, come up
19 potentially with something, and then maybe we'll have
20 it.

21 MEMBER HOUSTON: So it's not coming to us until
22 later this year.

23 CHAIRPERSON BANIS: That's correct.

24 MEMBER HOUSTON: I guess the follow-up question
25 is, you have a new vendor with the new contract. Does

1 the contract allow for those kinds of changes to occur?

2 MR. ZALE: That's an interesting question and
3 one I probably can't answer definitively, yeah, without
4 working through our National Operations Center. But
5 that's a good point, and we will cross that bridge when
6 we get to it.

7 MEMBER HOUSTON: Okay.

8 CHAIRPERSON BANIS: Are there old wooden
9 timbers on that bridge? Okay. Thank you. Thanks very
10 much.

11 MR. ZALE: They're categorically excluded
12 timbers.

13 CHAIRPERSON BANIS: Yeah. I'd like to move on
14 to the Council Comments on State Office District Manager
15 and Field Office Reports now and then, if I may, open up
16 to the public for their questions on those reports and
17 questions on the subgroup, consolidate that a little bit
18 so we'll get more out for us to talk about. So we'll be
19 right back to that, if that's okay, move forward to --
20 are there any questions that the DAC has on the reports
21 of the BLM? Don, we'll start with you.

22 MEMBER HOUSTON: I thought we were going to
23 take a break now.

24 CHAIRPERSON BANIS: I did promise a break now,
25 a brief stenographer break, a cracker break, a

1 cheese-and-cracker break. That's the best we can get.
2 But I think we're going to be okay. Just so you know,
3 it's 12:40. I think a ten-minute break, 12:50. I don't
4 think it will be longer than 1:30 before we're gone. Is
5 that okay for our tummies? Can we do that?

6 MEMBER HOUSTON: Oh, yeah.

7 CHAIRPERSON BANIS: Let's do that. Okay. Very
8 good. We'll take another ten-minute break. Thank you.

9 (A brief recess was taken.)

10 CHAIRPERSON BANIS: Thank you. Thanks,
11 everybody for coming up quickly. And the item on the
12 agenda I'd like to move into is the Council Questions on
13 Reports. I think Don was going to go first, if you had
14 something.

15 MEMBER HOUSTON: Yes.

16 CHAIRPERSON BANIS: These are the Comments on
17 State Office, District Manager and Field Office Reports.

18 MEMBER HOUSTON: Okay. I'm going to start with
19 Barstow. And I have a request in terms of the
20 consistency in the writing of the descriptions of the
21 different projects you're managing. And some
22 descriptions do and some do not do this, but I would
23 like the name of the project applicant in that
24 description. Some of those descriptions have no name of
25 the applicant, and then the NEPA status. And this kind

1 of goes for all the field office reports. So that is my
2 request.

3 MS. SYMONS: I can give you some names.

4 MEMBER HOUSTON: That's okay. Just moving
5 forward, you know, when you write the reports, as I read
6 them, that helps me decide whether I really want to
7 drill down on this particular project or not.

8 And I think it was the Barstow, but I could be
9 wrong. It could be El Centro, and Tom, you're up next.
10 There was a statement about patrolling Wilderness Areas,
11 and since Wilderness Areas are typically roadless areas,
12 I wonder what that patrolling looked like.

13 MS. SYMONS: For Barstow, it involves the
14 patrol of the boundaries.

15 MEMBER HOUSTON: Boundary patrol.

16 MS. SYMONS: As well as we also have
17 individuals that are hiking within the Wilderness itself
18 and doing monitoring. And in such is also, because we
19 have incursions into our Wilderness, is making the
20 contacts with our visitors and educating them as to
21 what's appropriate in Wilderness and what is not.

22 MEMBER HOUSTON: Okay. Thank you. That's it
23 for Barstow. Is this how we want to do it?

24 CHAIRPERSON BANIS: Sure, yeah. Jump right on
25 in.

1 MEMBER HOUSTON: Tom, you're up next, and you
2 know what the question is I'm going to ask you about.
3 We talked yesterday or the day before -- I think it was
4 the day before -- about this, and this is in the record;
5 it's in the minutes -- that during the deliberations
6 over the fee increase, myself and other members of the
7 council and especially when it related to the single-day
8 permit, we were concerned about the administrative costs
9 associated with the new permit scheme.

10 And Tom's response to that was, you know, we
11 have a new vendor, a new contract. I can't tell you the
12 details because the ink is not dry, but you're going to
13 be very happy with it.

14 So now is the time to make me happy, yeah. And
15 I think what you have to say is going to do that.

16 MR. ZALE: Okay. So how much would it take to
17 make you happy? All right.

18 DIRECTOR RAML: Now that we established you can
19 be bought.

20 MR. ZALE: In fiscal year 2012 we spent
21 approximately \$888,000 on fee collection. We don't have
22 a final figure yet for FY13, but it's somewhere in that
23 ballpark. In FY14 under this new contract we project to
24 spend about 271,000. Does that make you happy?

25 CHAIRPERSON BANIS: Wow.

1 MEMBER HOUSTON: That makes me very happy. And
2 just as we go forward, Tom, me and you, just know my
3 philosophy is, whoever comes up with the number first
4 loses in the end negotiation.

5 MR. ZALE: I'll keep that in mind, too. You
6 have projects. Thank you.

7 CHAIRPERSON BANIS: That's funny. Very good.
8 You still have the floor.

9 MEMBER HOUSTON: Okay. Needles. This is real
10 quick. The joint point of entry there at Primm, is that
11 going to replace Yermo?

12 MR. AHRENS: I believe that is the intent of
13 it, yes.

14 MEMBER HOUSTON: Okay. So we have a new point
15 of entry at Primm coming out of Vegas into California?

16 MR. AHRENS: Correct.

17 MEMBER HOUSTON: So that will be much closer to
18 Vegas. You have much less time to sober up.

19 MR. AHRENS: Right, exactly.

20 CHAIRPERSON BANIS: Very good.

21 MEMBER HOUSTON: That's it.

22 CHAIRPERSON BANIS: Other council members with
23 questions from the reports? Dinah.

24 MEMBER SHUMWAY: I have a couple questions.
25 Mike, you haven't been there very long, but do you know

1 who performed the mineral potential report for the joint
2 point of entry? I would have thought that could have
3 been inhouse, but I know they were looking for a
4 contractor.

5 MR. AHRENS: I do not know that offhand, no. I
6 could look it up and get back to you.

7 MEMBER SHUMWAY: It should be a matter of
8 record, who did that.

9 MR. AHRENS: Yes, it would be, I'm sure. But I
10 didn't commit it to memory.

11 MEMBER SHUMWAY: If you could just have
12 somebody e-mail me with that information, I'd appreciate
13 it. Thank you.

14 MR. AHRENS: I can do that.

15 MEMBER SHUMWAY: And then Tom for El Centro, on
16 your education and outreach you have several bullet
17 points for trails. I'm asking you -- and maybe I'm
18 asking the other field offices too. Have there been any
19 new trails that have been established, or are there
20 plans for any new trails to be established, new trails?

21 MR. ZALE: I'm not aware of any new trails.
22 We're doing trail maintenance work primarily, so I guess
23 the answer to that is no, not at this time.

24 MEMBER SHUMWAY: Okay. I've been thinking a
25 lot since our WEMO Transportation Subgroup, and I'm kind

1 of making a comment to all the field offices too. There
2 was quite a bit of discussion about trails that end up
3 getting used for motorcycle trails, so that's a hard
4 thing to maintain, especially since trails are supposed
5 to be just for hiking and horses and, you know, things
6 like that. But I do think there are a lot of areas, at
7 least in the area that I am familiar with and go out to
8 a lot, where I think that there could be a market for
9 some trails.

10 A lot of people like to go hiking, but they
11 won't go off an established trail, so I think we need to
12 think about providing that kind of access for people in
13 the future, especially if we're talking about public
14 outreach. There's a lot of people -- there's a big
15 disparity between people who will only walk on a road or
16 who are physically adept at going cross country, and I
17 think sometimes having a trail can address sort of a
18 middle market there between the people who just strike
19 across and the people who will stay on a road. Thanks.

20 CHAIRPERSON BANIS: Ron, do you have anything
21 for the reports?

22 MEMBER JOHNSTON: Not at this moment, no.
23 Thank you.

24 CHAIRPERSON BANIS: Kim, do you have questions
25 for the reports?

1 MEMBER CAMPBELL-ERB: No.

2 CHAIRPERSON BANIS: Al, you've got the mic.

3 MEMBER MUTH: Yes. This is for Palm Springs,
4 and John, you can stay seated. It's just sort of a
5 grandstanding comment.

6 DIRECTOR RAML: Maybe you should stand.

7 CHAIRPERSON BANIS: He might want to leave.

8 MEMBER MUTH: Anyway, we see the numbers on
9 solar projects, but they don't mean anything after a
10 while of looking at the numbers. And since most of the
11 folks here, I think, were at Primm, I wanted to mention
12 there's a solar project, BrightSource, out at Palen and
13 at Dry Lake, and there was a recent hearing with the
14 California Energy Commission, full disclosure. I
15 testified with some concerns about fringe-toed lizards
16 and sand dunes.

17 But the size of that project may become
18 apparent to all of you when you put it in this
19 perspective. Right now the tallest building in
20 Riverside County is 331 feet high. That's the
21 Casino Morongo that you can't help but notice as you
22 drive out to Palm Springs. The Palen power towers,
23 there will be two of them, closed structures, 730-feet
24 high. And that may be short. There's some discrepancy
25 or some concern about the Energy Commission's final

1 report of getting that right. So that would then be the
2 tallest structures in Riverside County.

3 You were at Primm. You saw the size of those
4 towers. Bump that up half again as high. That's what
5 we're talking about. And to support those towers,
6 that's 175,000 heliostats arrayed around the towers on
7 3,794 acres of BLM land. Then there's the
8 infrastructure that goes with it. Those numbers really
9 hit home for me, and I hope you can put some of this
10 stuff into perspective, the industrial scale of the
11 projects that are proposed on BLM land. So I'll get off
12 my soapbox.

13 CHAIRPERSON BANIS: Paul, do you have any
14 comments or questions for the field office reports?

15 MEMBER O'BOYLE: No.

16 CHAIRPERSON BANIS: Everybody set with that?
17 I'll open up to public comments on the subgroup reports
18 and the field office reports, and I still have cards
19 from Gerry, Ed, Jim and Marie. Any comments, questions?

20 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone,
21 Friends of El Mirage. We always are happy when we get
22 reports from the field offices on those partners' jobs
23 that they're doing in the field offices, and we seem to
24 be letting that fall off the side of the table again.
25 And I'd like to see that at least there's more than just

1 Friends of Jawbone and El Mirage people are doing out
2 there. We need to give attaboy kudos to those people
3 who really bust their chops to help the Bureau of Land
4 Management, so I'd like to see those in the reports.

5 The subgroup, meaning Kim, I just came back
6 from Germany, went to Switzerland and met my friend
7 Uwe Deimer, who runs Ad-Mo Tours. He wants to get
8 permits to put his tours on, but he can't get them.
9 It's just a total nightmare. He wants to do it legally.
10 The man brings people over here from Germany, and he
11 teaches them how to ride their motorcycles on El Mirage
12 Dry Lake and takes them on a tour. He has six to eight
13 people, sometimes five people. That's all it is, follow
14 the leader, and it's unbelievable that he can't get a
15 bloody permit.

16 We can send thousands of people up there to do
17 whatever the heck they want to do, cut our fences, go
18 away illegally, what ever they want to do. But here we
19 got a guy who is just, follow the leader. These people
20 will never get lost. They will never got off the trail
21 because they got a guy in the back and a guy in the
22 front. He's from Switzerland, so it's kind of hard to
23 make that happen, but he's got an office in Wrightwood,
24 and I'll give you the name of the girl over there. I
25 asked her to come, but she didn't. But that has caused

1 me great concern.

2 Gerry Hillier, when we came up with the dual
3 sport motorcycles, he said, "Ed, the motorcycles have
4 license plates on it. I can take you to a whole bunch
5 of places." Gerry, boy, were we wrong on that. It's
6 gotten worse than before.

7 MR. HILLIER: Except that every I go to
8 Paso Robles, and there's a German group of about 30 that
9 come over here every year. There must be a way.

10 CHAIRPERSON BANIS: Jim, jump right in.

11 MR. BRAMHAM: Is Marie here?

12 MS. BRASHEAR: I'm here. Go ahead.

13 CHAIRPERSON BANIS: Okey dokey.

14 MR. BRAMHAM: First off as a former member of
15 the Dumont Subgroup, I want to say thank you for the
16 opportunity to have served on that body. I found that
17 time very rewarding, and I'm very glad to see that there
18 are some new people who have stepped up to take that
19 torch. Also the idea that we would get back together
20 with the county sheriff is a very positive step. There
21 were several years where that would be putting your hand
22 into a fully operational buzz saw. So I'm hopeful that
23 that wheel has stopped turning so that some progress can
24 be made and nobody hits the trigger again.

25 The ISDRA Subgroup, positive meeting. There

1 was great concern that there was no economic data that
2 was provided at that point and not because the Bureau
3 didn't want to give us that, just that because of the
4 shutdown and the fact it couldn't sell passes during
5 that period of time and the report from the vendor,
6 et cetera, et cetera. And we are very pleased with the
7 vendor amount, by the way. So we're really looking to
8 see where this new process turns out financially.

9 I would consider the passes, the sales -- the
10 annual pass sales to be absolutely dismal. They were
11 probably 50 percent or less at the sand show, which is
12 going to require a huge investment by the duners at the
13 local places to buy the weekly passes. And we're really
14 interested to see if that number picks up.

15 And lastly the question about the entry area at
16 Primm. My wife works for the highway patrol. I have
17 been counseled or have given them counsel on how to
18 build that so that it is truck friendly, and it should
19 not have been built where it is. It should have been
20 built at the top of the hill instead of the bottom for
21 the carbon footprint of everybody accelerating uphill.
22 But it's going to be built at the bottom, and that's the
23 deal.

24 But it does indeed have the replacement for
25 Yermo involved in that trucks will go from one to

1 another, and it's built similarly to the Truckee
2 facility. If you've ever been through Reno to Truckee
3 where there's a weigh station and the trucks go to one
4 side of the office, and the public goes to the other, so
5 that it will replace Yermo.

6 CHAIRPERSON BANIS: Thank you. Marie, come on
7 up.

8 MS. BRASHEAR: I just have a tiny little
9 comment. It's been a really good meeting. A lot of
10 great topics were handled well. I would like to see all
11 of the field office managers come up with some
12 suggestions of their own on how we more actively involve
13 the public. I can remember when we used to have four,
14 five, 600 people at DAC meetings. And we haven't had
15 that in a long time, so not just the public coming up
16 with ideas. I'd like to see each of the field officers
17 come up with some ideas. Thank you.

18 CHAIRPERSON BANIS: Thank you, Marie. Gerry,
19 any last comments on those reports?

20 MR. HILLIER: Unaccustomed as I am to public
21 speaking, I just had one quick question there. Katrina,
22 have you had an opportunity yet to provide any briefing
23 to the new supervisor, Robert Lovingood, on the
24 El Mirage project and operation and the partnership with
25 the County?

1 MS. SYMONS: Yes, on a constant basis. He's
2 got his representative who comes to our monthly
3 meetings.

4 MR. HILLIER: Don Holland?

5 MS. SYMONS: So we are talking all the time.

6 MR. HILLIER: Okay. Good. I just wanted to
7 make sure that had happened. And the other thing, has
8 there been any further problems there with the land
9 transfer and the documentation that was associated with
10 that that was causing a problem before your arrival in
11 Barstow?

12 MS. SYMONS: Not that I am aware of. As far as
13 I know, there's no problem.

14 MR. WALDHEIM: They're bunching them all
15 together. They're working all together. They want to
16 get it as a group, and they are doing that now.

17 MR. HILLIER: Very good. That's all I needed
18 to know. Thank you. Great meeting.

19 CHAIRPERSON BANIS: Thanks for coming, Gerry.
20 Very good.

21 We're on the last item of business. I'd like
22 to thank the Hyatt Hotel, first meeting here. What did
23 you think of the place? I thought it was terrific. I
24 loved the room. I thought the layout was terrific, and
25 the room was really comfortable. Kudos for having lunch

1 done early yesterday, everything.

2 MEMBER MUTH: And the coffee.

3 CHAIRPERSON BANIS: And the coffee, so snaps to
4 Hyatt. Thank you also to BLM for putting this meeting
5 together in probably the shortest time ever, not only
6 putting it together in the shortest time ever but having
7 to do it from a complete and total stop. And having
8 lost our November meeting, I was concerned that was
9 going to be our last chance for the year, and I'm so
10 grateful that my cries were heard and we have -- I know
11 the Federal Register Notice didn't make the time, but we
12 just really wanted to have a meeting this year. We only
13 have so many, and we just couldn't let it go. So I
14 really thank you for indulging me, the BLM, in doing
15 what we had to do to get us together again one more time
16 this year. Thank you.

17 Thanks, Steve, for that. And, Jennifer, thanks
18 for arranging the room and all of us together and
19 everything today. Thank you very, very much. I thank
20 you, Jennifer.

21 (Applause.)

22 CHAIRPERSON BANIS: I do want to recognize one
23 small item. I'd like to recognize my friend Ed Waldheim
24 for having received the Kern County Jimmy Radoumis
25 Award. Jimmy Radoumis was Mr. Kern County. He pushed

1 Kern County, and after he passed, Kern County Board of
2 Tourism established an annual award in his name, and Ed
3 was the recipient of that award for 2013 for the
4 Kern County's tourism promoter of the year. So
5 congratulations to Ed for that.

6 (Applause.)

7 CHAIRPERSON BANIS: Any final comments? Don.

8 MEMBER HOUSTON: Yes, if you would indulge me
9 for a couple of minutes.

10 CHAIRPERSON BANIS: You bet.

11 MEMBER HOUSTON: There's been a lot of
12 discussion about Wilderness today, and as Seth mentioned
13 yesterday, next year is the 50th anniversary of the
14 Wilderness Act, so I just want to take a moment to
15 remind people of what was in the national consciousness
16 and the strength of the legislative mandate that came
17 about in 1964.

18 "In 1964 after 18 congressional hearings and 66
19 different versions of the bill, the nation's National
20 Wilderness System became a reality. The vote in the
21 House of Representatives was 373 to one. The vote in
22 the Senate was 73 to 12.

23 "According to the Wilderness Act, a Wilderness
24 is hereby recognized as an area where the earth and its
25 community of life are untrammelled by man, where man

1 himself is a visitor who does not remain."

2 CHAIRPERSON BANIS: That's right. Very good.
3 Dinah, any last comments?

4 MEMBER SHUMWAY: Get rid of those guzzlers.

5 CHAIRPERSON BANIS: Ron, any last words?

6 MEMBER SHUMWAY: Wait. Can I say one thing?

7 CHAIRPERSON BANIS: Oh, please, Dinah.

8 MEMBER SHUMWAY: I forgot to mention this
9 yesterday, too. You might wanted to put it on your
10 calendars. The Victor Valley Gem and Minerals Club is
11 having their annual tailgate March 7th through
12 March 10th off of Stoddard Wells Road. It's on private
13 land, so it doesn't need an SR permit. If you're a
14 rockhound or history buff, this is a good time to go out
15 and see what everybody has got. It's really a fun time,
16 and they have a field trip associated with it, but I
17 don't know where they go.

18 MEMBER CAMPBELL-ERB: They have great deals on
19 gems and minerals too. You should go. It's a great
20 show.

21 CHAIRPERSON BANIS: Very good. Ron, would you
22 like to have a word?

23 MEMBER JOHNSTON: I think I've had more than
24 enough words, but thank you for leading another
25 excellent meeting, Randy.

1 CHAIRPERSON BANIS: Thank you. Paul, final
2 words?

3 MEMBER O'BOYLE: No.

4 CHAIRPERSON BANIS: Al?

5 MEMBER MUTH: I'm done.

6 CHAIRPERSON BANIS: Kim, April? Very good. Do
7 I have a motion to adjourn?

8 MEMBER JOHNSTON: So moved.

9 MEMBER CAMPELL-ERB: Seconded.

10 CHAIRPERSON BANIS: Second by Kim. Those in
11 favor, aye. Opposed?

12 (A voice vote was taken.)

13 CHAIRPERSON BANIS: Meeting adjourned at 1:17.

14
15 (Whereupon, the proceedings were
16 concluded at 1:17 p.m.)

17
18 ---o0o---

M O T I O N S

A. Maker: Johnston
 Second: Muth
 Motion: To approve the transcript from the
 June, 2013 DAC meeting
 Result: Motion carried

B. Maker: Johnston
 Second: Shteir
 Motion: To approve the transcript from the
 August, 2013 RRAC meeting
 Result: Motion carried

C. Maker: Campbell-Erb
 Second: O'Boyle
 Motion: (Regarding East Kern Acquisition)
 To recommend the BLM take the
 position that the land continue to be
 managed consistent with the way it is
 currently being managed over the broader
 area controlled by the BLM until such time
 that they come up with a long-term plan
 Result: Motion carried

D. Maker: Houston
 Second: Muth
 Motion: That East Kern Acquisition be
 considered at the next meeting of the
 DAC in March for the purpose of supporting
 the BLM in their development of a
 memorandum of understanding between
 State Parks and the BLM
 Result: Motion carried

E. Maker: Muth
 Second: O'Boyle
 Motion: That the DAC accept the
 recommendation of the Dumont Subgroup
 encouraging the BLM to work with the
 Sheriff's Department to reinstitute
 the cooperative agreement with law
 enforcement
 Result: Motion carried

///

///

M O T I O N S (CONTINUED)

F. Maker: Johnston
 Second: Campbell-Erb
 Motion: To adjourn
 Result: Motion carried

CERTIFICATE

I, Diane Carver Mann, CSR No. 6008, in and for
the State of California, do hereby certify:

That the foregoing pages were taken down by me
in shorthand at the time and place stated herein and
represent a true and correct transcript of said
proceedings.

I further certify that I am not interested in
the event of the action.

Witness my hand this _____ day of
_____, 20____.

Certified Shorthand
Reporter in and for the
State of California